

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12329-2023

Date of Decision: 22.09.2023

Gurpreet Singh Sahota

. . . . Petitioner

Vs.

State of Haryana

. . . . Respondent

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Davneet Sangwan, Advocate, for the petitioner.

Mr. Parveen Kumar Aggarwal, DAG, Haryana.

Mr. Kanwaljeet Singh Derabassi, Advocate,
for the complainant.

DEEPAK GUPTA, J.

By way of this petition filed under Section 439 CrPC, petitioner prays for grant of regular bail in case FIR No.375 dated 14.08.2017 registered at Police Station City Ambala, District Ambala, under Sections 420/465/467/468/406 IPC.

2. As per prosecution allegations, FIR was lodged on the complaint of Bhupinder Singh, as per which petitioner Gurpreet Singh Sahota, cheated him for sending his son Simranjeet Singh Mehmi to Canada. Petitioner obtained Rs.10 lakh through different cheques dated 26.11.2015 and 18.05.2017. It was alleged further that petitioner forged certain documents like air tickets etc., but neither sent Simranjeet Singh Mehmi to Canada nor returned the amount to the complainant.

3. Ld. counsel for the petitioner contends that petitioner has been falsely implicated; that no ingredients of cheating/forgery are made out; that

after conclusion of investigation, challan has already been filed; that trial is likely to take long time and so, he be allowed bail. Petitioner has also given details of three other criminal cases pending against him.

4. (i) Strongly opposing the bail petition, Id. State counsel contends that during investigation, Bank account details of the complainant and that of the petitioner were collected besides the details of the mobile numbers of both of them. Raids were conducted to apprehend the petitioner, but he evaded his arrest. He was ultimately declared proclaimed offender and so PO challan was presented before the Court. Id. Area Magistrate also declared the petitioner as PO on 29.10.2018. After coming to know that petitioner was confined in Model Jail, Chandigarh, his production warrant was got issued for 14.07.2022 and that it is only then that he was produced in the Court and was joined in the investigation.

(ii) Id. State counsel has further drawn attention towards para-No.7 of the status report revealing that petitioner is involved in as many as 8 others cases, all of the similar nature of immigration fraud. It is further informed that after filing of the challan on completion of investigation, trial is going on and that out of 14 witnesses cited by the prosecution, 6 have already been examined.

5. Complainant filed separate reply taking almost the same stand as of the State and prays for dismissal of the petition.

6. Having considered submissions of both the sides, particularly, the role attributed to the petitioner in the crime; the fact that he earlier evaded arrest for long time and was declared PO; and his criminal antecedents, inasmuch as he is involved in several cases of immigration

fraud, but without commenting anything further on merits of the case, this Court finds the present case to be unfit for grant of regular bail.

Dismissed.

(DEEPAK GUPTA)
JUDGE

22.09.2023

Vivek

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| 1. Whether speaking/reasoned? | Yes/No |
| 2. Whether reportable? | Yes/No |