

**207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**Neutral Citation No. 2023:PHHC:051932
CRM-M-15005-2023
Date of Decision: April 13, 2023**

Gurmukh Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. B.S. Jatana, Advocate for the petitioner.

Mr. Parneet Singh Pandher, AAG, Punjab.

Mr. Munish Garg, Advocate for the complainant.

DEEPAK GUPTA, J.(Oral)

Status report by way of affidavit of Shri Sanjeev Goyal,
DSP, Sub Division, Mansa, on behalf of respondent-State has been filed.

Shri Munish Garg, Advocate has also filed power of attorney
on behalf of the complainant.

Heard.

Learned counsel for the complainant has placed on record
the copy of order dated 23.03.2023 passed by this Court in CRM-M
No.14684 of 2023, whereby similar petition of Satnam Singh @ Satta
was dismissed.

Arguments heard.

Petitioner has prayed for grant of anticipatory bail in case
FIR No.0031, dated 20.02.2023, registered at Police Station Bhikhi,
District Mansa, under Sections 420 and 120-B of IPC.

FIR was lodged on the statement of Narinder Singh as per
which petitioner-Gurmukh Singh along with co-accused Pappu, Satnam
Singh @ Satta and Harpreet Singh allured the complainant to send his
son to Belgium for an amount of ₹30 lacs. In the FIR, details are given as

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to how ₹28.4 Lacs were paid on different dates. It is alleged that instead of taking the son of the complainant by legal means, he was sent through donkey to the jungles in other countries, while keeping his passport with them. It is through those jungles that son of the complainant reached Belgium. Later on, cheque of ₹3,50,000/- was issued by co-accused Harpreet but that also bounced.

It is contended by learned counsel for the petitioner that no amount has been paid through any bank transaction and that all amount is alleged to have been paid in cash. It is further contended that there is no specific attribution that any amount was ever specifically paid to the petitioner. There is no documentary evidence regarding any payment and that petitioner does not even know the complainant.

Learned State counsel along with counsel for the complainant has strongly opposed the bail petition by pointing out that petitioner along with co-accused were part of a conspiracy under which the complainant was deprived of an amount of ₹28.4 lacs on the pretext of sending his son to Belgium.

Counsel for the complainant also pointed out that son of the complainant in fact was taken to Russia and left in the jungles and then Poland Army had taken him in his detention from where, he was rescued by a relative of the complainant residing in Belgium. It is further submitted that passport of the son of the complainant is still lying with the petitioner and co-accused.

Apart from above, the case of the petitioner is on similar footing as that of co-accused Satnam @ Satta whose similar petition was dismissed by this Court on 23.03.2023.

Having considered submissions of both the sides, I find no ground to grant anticipatory bail to the petitioner as allegations cannot be stated to be without any basis or false. His custodial interrogation may be necessary to further investigate the matter.

Dismissed.

April 13, 2023
sarita

(DEEPAK GUPTA)
JUDGE

Whether reasoned/speaking: Yes/No
Whether reportable: Yes/No