

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Neutral Citation No. 2023:PHHC:117999

CRM-M-30453-2023

Reserved on: September 02, 2023

Date of Decision: September 05, 2023

Gurpreet Singh @ Gopi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Arshpreet Khadial, Advocates for the petitioner.

Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.

By way of this petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.0061, dated 10.05.2023, under Sections 420, 467, 468, 471 and 171 of IPC, registered at Police Station City Budhlada, District Mansa.

2. FIR was lodged on the complaint of Gurpreet Singh S/o Balwinder Singh against as many as 10 persons including petitioner- Gurpreet Singh @ Gopi, alleging therein that the said accused committed cheating with him worth ₹45 lacs on the pretext of his recruitment in the Army.

3. Inquiry was conducted, during which it was found that complainant was working as a Teacher in Education Department on contractual basis and wanted a regular job. Petitioner- Gurpreet Singh @ Gopi was one of his friends, who had told the complainant knew one Gurmangat Singh, who had acquaintance with Senior Army Officers and who can get the complainant recruited in the Army. Gursewak Singh, the cousin of the complainant was also interested in recruitment in the Army. Petitioner-Gurpreet Singh @ Gopi arranged a meeting of the complainant and his cousin Gursewak Singh with co-accused Gurmangat Singh, where brother Pardeep Singh and wife Satinder Kaur of Gurmangat Singh were

also present. Gurmangat Singh was wearing a dress of army and told that he

was working as a Driver of Commanding Officer at Ranchi and that soon the recruitment of Army is coming to Ludhiana and that he can get them recruited in Army, for which he demanded ₹5,50,000/- from per person. It is alleged that some money was paid in advance and later on, on payment of ₹3 lacs, Gurmangat Singh handed over a joining letter to Gursewak Singh. Said Gursewak Singh was then sent for training at Ramgarh, Ranchi. As relatives and friends of complainant came to know about recruitment of Gursewak Singh, they also showed their willingness to be recruited in the Army with the help of complainant, who arranged meeting of his total 15 friends and relatives with petitioner Gurpreet Singh @ Gopi, who further arranged meeting with Gurmangat Singh. After getting ₹45 lacs, Gurmangat Singh issued joining letters to the relatives of the complainant. Later on, it was found that joining letters handed over to Gursewak Singh as well as to other 15 relatives of the complainant were fake. Money was demanded back. After selling his house and gold, complainant returned the money to his relatives and then asked Gurmangat Singh to return the money. It was further found that petitioner provided three cheques for total amount of ₹16,50,000/- from the bank account of Gurmangat Singh to the complainant, but all those were dishonoured on presentation.

4. Contention of learned counsel is that petitioner himself is a victim of Gurmangat Singh and that the only role attributed to petitioner is to have arranged meeting of the complainant and his relatives with Gurmangat Singh, who took entire money and who had issued the fake joining letters.

5. Opposing the petition, Ld. State counsel points out that a co-ordinate Bench of this Court had directed the petitioner to join the

investigation vide order dated 07.07.2023 and in the meantime, he was directed to be released, in case his arrest was required. It is urged that though petitioner has joined the investigation, as per the direction of the Court, but as petitioner along with others cheated the complainant and his relatives to the tune of ₹45 lacs and also issued fake joining letters, so he does not to given the benefit of anticipatory bail.

6. Having considered submissions of both the sides, it is found that it is Gurmangat Singh, who as per the investigating agency, had provided the fake joining letters. The only role attributed to the petitioner is to have facilitated a meeting between the complainant and his relatives with main accused Gurmangat Singh. Money was transferred in the account of Gurmangat Singh. Cheques for ₹16,50,000/-, which were dishonoured, were also from the account of Gurmangat Singh. Petitioner has already joined the investigation.

7. Considering aforesaid facts and circumstances, but without commenting anything on the merits of the case, present petition is allowed. It is directed that in the event of the arrest of the petitioner, he shall be released on bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C. He shall also continue to join the investigation, as and when required by the Investigating Officer.

September 05, 2023

sarita

(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking:

Whether reportable:

Yes/No

Yes/No