

CRM-M-39058-2023

102 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39058-2023
Date of Decision: 10.08.2023

Sanjeev Kumar @ Moni

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present : Mr. Kanav Bansal, Advocate,
for the petitioner.

RAJBIR SEHRAWAT, J. (ORAL)

1. The present first petition has been filed by the petitioner under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.60 dated 10.03.2023 registered under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, and Section 24 of the Immigration Act, at Police Station Civil Lines, Bathinda, District Bathinda.

2. It is submitted by the learned counsel for the petitioner that the case against the petitioner is totally fake and concocted. The petitioner is not involved in the crime as alleged against him in the present case. The name of the petitioner has been dragged in the case only on the basis of disclosure statement of his co-accused, who is alleged to have disclosed to the police that the petitioner is owner of the firm which was involved in immigration business. However, the petitioner has no concern with the said firm. Therefore, the petitioner deserves to be protected against his arrest. It is further submitted by the learned counsel that the petitioner is ready to join the investigation and to cooperate with the Investigating Officer as and when called by the police.

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3. Notice of motion.
4. Mr. Sandeep, Additional Advocate General, Punjab, accepts notice on behalf of the respondent-State and vehemently opposed the petition.
5. Learned State Counsel, on instructions from ASI Gurdial Singh, has submitted that the petitioner is the owner of the firm, which commits fraud with the people in the name of sending them abroad. In the present case, an amount of Rs.1,64,000/- has been received by the firm of the petitioner. Not only that, the petitioner is involved in two more cases of similar nature. In the present case as well, the police are required to unearth the true dimensions of the alleged crime committed by the petitioner. Custodial interrogation of the petitioner is required. Therefore, the petitioner does not deserve any concession of anticipatory bail.
6. In view of the facts and circumstances of the case, as well as, the above-said submissions made by the learned State counsel, this Court does not find it appropriate to interfere in the matter so as to grant concession of anticipatory bail to the petitioner.
7. Dismissed.

(RAJBIR SEHRAWAT)
JUDGE

10.08.2023
adhikari

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No