

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

CRM-M No.53182 of 2023 (O&M)

Date of Decision: 07.11.2023

Harjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Rahul Sharma, Advocate for the petitioner.

Mr. C.L.Pawar, Addl. A.G., Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.158 dated 12.09.2023, under Sections 420, 406, 34 of the Indian Penal Code, 1860; Section 24 of the Immigration Act, registered at Police Station Garshankar, District Hoshiarpur.

(2) Above FIR was registered on the basis of an application made by complainant-Madan Lal with the allegations that petitioner promised to send him to Kuwait. The complainant gave an amount of Rs.1,20,000/- through Bank as well as in cash on different dates to the petitioner as well as his wife. Petitioner neither sent the complainant abroad; nor returned the amount.

(3) Learned Counsel for the petitioner contends that petitioner has been falsely implicated in the present case. Also contends that Visa of the complainant was rejected due to some technical reasons and petitioner is not at

fault. Further contends that the amount in question has already been returned to the complainant.

(4) Learned State Counsel on instructions from ASI Raspal Singh submits that petitioner is facing three other criminal cases of similar nature and as such, his custodial interrogation is required to find out the truth.

(5) Heard both sides and perused the paper-book.

(6) Keeping in view the nature of offence and more particularly, petitioner is facing three more cases of similar nature, this Court is of the opinion that custodial interrogation of the petitioner would be necessary to unearth the truth. Hence, there is no option except to dismiss the petition.

(7) Ordered accordingly.

(8) The above observations may not be construed as an expression of opinion on merits of the case.

(9) Pending application(s), if any, shall also stand disposed off.

November 7th, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>