

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-55102 of 2023

Date of Decision: 02.12.2023

Satnam Singh

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Tarunveer Vashisth, Advocate for the petitioner.
Mr. R.S. Khaira, DAG, Punjab.

DEEPAK GUPTA, J.

By way of present petition filed under Section 438 Cr.P.C., petitioner has prayed for grant of anticipatory bail in case FIR No.019 dated 23.01.2020 registered under Sections 406, 420 and 120-B IPC, 1860 at Police Station Anaj Mandi, District Punjab.

2. Reply by way of affidavit of Shri Jaswinder Singh Tiwana, PPS, Deputy Superintendent of Police City-II, District Patiala has been filed on behalf of respondent No.1- State.

3. FIR was registered on the complaint made by one Dharamvir Singh, as per which he had retired from Indian Railways. Co-accused Lakhan Singh was known to him being his colleague. In December, 2018, said Lakhan Singh told him that his son-in-law Manish had been recruited in the government service through co-accused Gagandeep Singh, Satnam Singh (petitioner) and Inderbir Singh, who can also get his (complainant's son) recruited. They allured him in their talks by representing that two jobs are in the hands of Gagandeep Singh and that Lakhan Singh would settle the bargain for them. They asked for an amount of ₹7 lakhs to be paid for the purpose. Complainant paid ₹1 lakh to Lakhan Singh by way of a

cheque. Regarding the remaining amount, Lakhan Singh and Manish Kumar accompanied the complainant to Chandigarh, where they arranged his meeting with co-accused Gagandeep Singh and petitioner – Satnam Singh, who claimed to be related to former Minister Mr. Gobind Singh Kanjla. Another co-accused Inderbir Singh was introduced as Personal Assistant to some Senior Officer. Complainant made payment of ₹7 lakhs to them, as it was told that ₹1 lakh earlier paid by him to Lakhan Singh would be utilised by Lakhan Singh for his own son. Lakhan Singh also paid an amount of ₹6 lakhs to these persons in the presence of the complainant. Later on, neither any job was provided to the son of the complainant nor the amount was returned. It is also the allegation that co-accused Inderbir Singh entered into a compromise with the complainant and gave a cheque of ₹3,85,000/- but that cheque was dishonored.

4. It is contended by learned counsel that the petitioner has been falsely implicated; that his alleged role is limited to the extent that he had introduced the complainant to co-accused Inderbir Singh, to whom the amount was allegedly given. Learned counsel further contends that there is no allegation of any money having been handed over to the petitioner. Further, co-accused Inderbir Singh had made the settlement by paying a cheque of ₹3,85,000/-, which indicates that money had been paid to him. It is further submitted that co-accused Lakhan Singh has already been granted the benefit of anticipatory bail. Learned counsel also contends that petitioner is ready to join the investigation and so, he be allowed anticipatory bail.

5. Strongly opposing the bail petition, learned State Counsel submits that it is the petitioner, who along with co-accused Gagandeep Singh and Inderbir Singh, had allured the complainant that they would get his son

recruited in the government service and obtained ₹7 lakhs from him. Learned State Counsel has also drawn attention towards the order dated 14.02.2020 (Annexure P.2) passed by learned Sessions Judge, Patiala, whereby co-accused Lakhan Singh was allowed anticipatory bail after observing that said Lakhan Singh also appeared to be victim, as he himself had also made payment for getting his son recruited and, therefore, case of the petitioner is not on parity with co-accused Lakhan Singh.

6. Learned State Counsel further drawn attention towards the status report, as per which, petitioner gave his incorrect particulars regarding the address and it is because of this reason that his whereabouts have not been traced till date due to providing of the different addresses. Learned State Counsel submits that custodial interrogation of the petitioner is necessary to unearth the *modus operandi*.

7. After considering submissions of both the sides, this Court does not find present case to be a fit for grant of anticipatory bail, having regard to the role attributed to the petitioner, who along with co-accused Inderbir Singh and Gagandeep Singh, allured the complainant to arrange job for his son and obtained ₹7 lakhs from him. Money was also taken by them from co-accused Lakhan Singh as per the investigation.

8. Consequently, without commenting anything on the merits of the case, present petition is hereby dismissed.

December 02, 2023

renu

(DEEPAK GUPTA)

JUDGE

Whether Speaking/reasoned

Yes/No

Whether Reportable

Yes/No