

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.801 of 2023
Date of decision: 7th March, 2024

Dilbag Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Jasdeep S. Kailey, Advocate for the petitioner.

Mr. Amit Rana, Sr. Dy. Advocate General, Punjab
for the respondent/State.

Mr. Surinder Garg, Advocate for the complainant.

MANJARI NEHRU KAUL, J.

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.137 dated 03.07.2022 under Sections 384, 420, 120-B, 506 of the IPC registered at Police Station City Kotakpura, District Faridkot.

2. Vide order dated 11.05.2023, the parties were directed to appear before the Mediation and Conciliation Centre of this Court for exploring the possibility of an amicable settlement. Report has been received from the Mediation and Conciliation Centre. As per the report, parties failed to arrive at an amicable settlement.

3. Learned counsel for the petitioner has asserted that he along with the co-accused has been falsely implicated in the present

case for allegedly defrauding the daughter of the complainant of over ₹14.00 lacs and 20 tollas of gold jewellery under the pretext of taking her to Canada. While drawing the attention of this Court to the allegations leveled in the FIR annexed as Annexure P-1, it has been submitted by the learned counsel that it had been lodged only on account of the strained relations between the family of the petitioner and the complainant. It has thus, been prayed that in the aforementioned facts and circumstances wherein evidently a false and fabricated case has been planted upon the petitioner, his custodial interrogation would be futile as no recovery is to be effected from him.

4. Per contra, learned State counsel assisted by the learned counsel appearing on behalf of the complainant, has vehemently opposed the prayer and submissions made by the counsel opposite. Learned State counsel has submitted that a preliminary enquiry was carried out after the FIR was registered by a DSP level officer, wherein it was concluded that the victim (daughter of the complainant) had been deceived by the petitioner, who coerced her into handing over gold ornaments and money on the pretext of taking her to Canada and performing marriage with her; she was also threatened with dire consequences and the petitioner also blackmailed her into making her photographs viral. Learned counsel have asserted that the petitioner is the mastermind and had orchestrated the crime in question for which his custodial interrogation was required.

5. I have heard learned counsel for the parties and perused the relevant material on record.

6. Prima facie, there are serious allegations against the petitioner of causing substantial financial losses to the daughter of the complainant through deceit, involving a significant sum of money as well as jewellery weighing 20 tollas of gold. Given the severity of the offence, this Court does not deem it fit to extend the extraordinary concession of anticipatory bail to the petitioner.

7. Dismissed.

8. However, it is made clear that anything observed hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(MANJARI NEHRU KAUL)
JUDGE

March 7, 2024

rps

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