

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.181 of 2024 (O&M)

Date of Decision:08.01.2024

Satpal Singh @ Teetu ... Petitioner

Versus

State of Punjab ... Respondent

CORAM : HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ashish Gupta, Advocate and
Mr. Varun Gupta, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

HARPREET SINGH BRAR, J. (ORAL)

1. The present petition has been filed under Section 438 Cr.P.C for grant of anticipatory bail to the petitioner in FIR No.0201 dated 01.11.2023 registered under Sections 420, 34 IPC (Sections 465, 467, 468, 471, 473, 475, 120-B IPC added later on) and Section 24 of Immigration Act at Police Station City Kotkapura, District Faridkot.
2. Learned counsel appearing for the petitioner contends that there is no allegation against the petitioner that he defrauded the complainant for an amount of ₹10,60,000/- on the pretext of sending his son Australia or involved in preparing the forged visa and air tickets. It is further submitted that the petitioner is not engaged in the business of immigration or travel agency rather he is an agriculturist by profession. It is the co-accused Falel Singh, who made all arrangements for sending the son of the complainant abroad. Nothing is to be recovered from the petitioner and therefore, custodial interrogation of the petitioner is not required.

3. Mr. Subhash Godara, Addl. A.G., Punjab, who appears on advance notice opposes grant of anticipatory bail to the petitioner on the ground that custodial interrogation of the petitioner would be required to unearth the fraud committed upon the complainant at the hands of petitioner and his co-accused.
4. Having heard the learned counsel for the petitioner and after perusing the record of the case, it transpires that the petitioner and his co-accused have been booked for cheating the complainant-Gurmail Singh on the pretext of sending his son Gurpreet Singh to Australia for an amount of ₹10,60,000/- and after obtaining the said amount, a fake visa of Australia was provided. When son of the petitioner went to the airport at Delhi, he found that the visa as well as the air ticket provided to him by the petitioner and the co-accused Falel Singh @ Falli, are fake.
5. Keeping in view the allegations levelled against the petitioner, custodial interrogation of the petitioner is necessary for facilitating the investigating agency to unearth the fraud committed by the petitioner upon the complainant on the pretext of sending his son abroad. No ground for grant of relief as sought by the petitioner is made out in the instant petition.
6. Consequently, the instant petition stands dismissed.

(HARPREET SINGH BRAR)
JUDGE

January 08, 2024
Pankaj*

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