

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(102)

CRM-M-7506-2024 (O&M)
Date of Decision:-03.04.2024

Chanan Singh
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Mr. D.K. Sharma, Advocate for
Mr. S.K. Kamboj, Advocate for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Section 482 Cr.P.C. for grant of pre-arrest bail to the petitioner in FIR No. 68 dated 01.05.2021, under Sections 420 and 120-B of the Indian Penal Code registered at Police Station, Julkan, District Patiala.
2. Learned counsel for the petitioner after taking through the FIR has submitted that the real dispute is that the complainant sold the ancestral property including the share of the mother of the petitioner and when the said issue was agitated, the present FIR has been lodged. He further submits that there is a delay of two years in lodging the FIR and also claims parity as another co-accused Ranjit Singh was granted the concession of pre-arrest bail by this Court. Learned counsel for the petitioner submits that the petitioner was in the foreign land when the said amount was deposited in his account.

3. Notice of motion.

4. Mr. Siddharth Attri, AAG, Punjab accepts notice on behalf of respondent-State and has vehemently opposed the grant of any concession to the petitioner and has relied upon the judgment passed by the Hon'ble Supreme Court in the case of "***Hari Prasad @ Krishan Sahu Vs. State of Chattisgarh***", to submit that the delay in lodging the FIR cannot be fatal to the case of prosecution. As regards the parity being claimed by the petitioner *qua* Ranjit Singh, the same is not plausible, for the reason that no money had been received or was deposited in the account of Ranjit Singh, whereas, in the present case, a sum of Rs. 4,69,000/- was deposited in the account of the petitioner.

5. The petitioner initially prayed and was granted sufficient amount of time to deposit the said amount with the Court so that the matter could be referred to the Mediation and Conciliation Centre as the counsel for the petitioner had argued that the parties are closely related to each other. However, the petitioner could not demonstrate his *bona fide*.

6. I have heard the learned counsel for the parties and it is a case where the petitioner has derived undue benefit on account of him demonstrating that he and other co-accused have close contacts with the officials of the relevant department and will help the victims get employment there.

7. It is a serious matter where the public appointments are at stake and persons like petitioner have played a fraud and cheated the complainant by dishonestly inducing them to pay money in lieu of Government job. The matter is still under investigation and it was only on account of the petitioner being not present in India that the State could not proceed against the petitioner.

8.

In light of the above, I do not find that the petitioner has been able to carve out a case to grant him the extraordinary concession of pre-arrest bail as his custody would be imperative to unearth the entire scam.
9.

Accordingly, the present petition stands dismissed.

(ALOK JAIN)
JUDGE

April 03, 2024
Parul

Whether speaking/reasoned:-	Yes/No
Whether Reportable:-	Yes/No