

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-13941-2024 (O&M)
Date of Decision: 22.04.2024

Harpreet Singh*Petitioner*

Versus

State of Punjab*Respondent*

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Ankur Bali, Advocate, for the petitioner.

Mr. Vinay Kumar Malhotra, DAG, Punjab,
assisted by SI Jaswant Singh.

Ms. Amarjit Kaur Khurana, Advocate,
for the complainant.

FIR No.	Dated	Police Station	Section/s
368	06.12.2023	Zirakpur, District SAS Nagar	420, 406, 506, 379-B IPC (Section 384 IPC added later on)

GURVINDER SINGH GILL, J.

1. The petitioner seeks grant of anticipatory bail in respect of aforementioned FIR.
2. The FIR was lodged at the instance of Gursharan Singh Gogia, wherein it is stated that he knows one Ranjit Singh since the last 10-12 years. About 2 months back, he received a call from said Ranjit Singh and who later came to meet him alongwith Harpreet Singh and Gurpreet Singh on 11.10.2023 at his house in Khanna and requested him to introduce them to M.K. (Lala), who was residing in Khanna. Said Harpreet Singh and Gurpreet Singh

proclaimed that they have a drug for curing cancer, which is very expensive and that said M.K. @ Mursalin has a customer for the same. Harpreet Singh and Gurpreet Singh passed on a telephone number of M.K. @ Mursalin to the complainant. The complainant called M.K. @ Mursalin telephonically and arranged for a meeting. When M.K. @ Mursalin came to meet the complainant, he told the complainant that he has a potential customer for the cancer drug and that on an earlier occasion he had earned a profit of Rs.1.5 crores by selling the same and thus, allured the complainant to get associated with him. On 14.10.2023, Ranjit Singh @ Malwai, Harpreet Singh and M.K. @ Mursalin met the complainant at Sahil Hotel, Sirhind and told the complainant that Harpreet Singh and his other associates have dragon, which is used for treatment of cancer and that M.K. @ Mursalin knows a pharmaceutical company interested in purchasing the same. It is further alleged that on 16.10.2023, M.K. @ Mursalin came alongwith a purchaser party and took the complainant alongwith them towards Kalesar forest where Harpreet Singh and Ranjit Singh were present and who showed the animal to the purchaser, who had come from Delhi. M.K. @ Mursalin agreed to purchase the dragon from Harpreet Singh for Rs.5.70 crores and stuck a deal with the purchaser for Rs.8.85 crores. The complainant was impressed with the huge amount projected as profit. However, the deal could not materialize, as M.K. @ Mursalin was falling short of some amount. M.K. @ Mursalin allured the complainant to invest money by representing that they could earn a profit of Rs.3 crores by arranging the deficit payment. It is alleged that the said person, thus, induced the complainant to become their partner and on 18.10.2023, the complainant alongwith his father Sohan Singh went to the accused alongwith an amount

of Rs.1.80 crores out of which 1.60 crores was handed over to them near Zirakpur and from there, they proceeded to Kalesar, where the complainant was made to sign on certain documents on the pretext that an agreement is required to be executed. Later, the complainant was dropped at Saha. When the complainant demanded his share of profit, the accused kept on dilly-dallying the matter and later started threatening him to cause loss to his life as well as of other members of his family. The complainant, thus, alleged that he had been defrauded.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the present case and that there is no evidence worth credence to connect the petitioner with the alleged occurrence. Learned counsel submits that even if all the allegations, as leveled in the FIR, are taken to be correct, the only role that may be attributed to the petitioner is that he had accompanied the co-accused.
4. Opposing the petition, learned State counsel submitted that the petitioner is part & parcel of the entire scam and otherwise also stands involved in several other cases indicating that he is a seasoned criminal. It has been submitted that the name of the petitioner specifically figures in the FIR and as such, having regard to the nature of allegations and the amount alleged to be defrauded, his custodial interrogation would be required.
5. This Court has considered rival submissions.
6. The allegations pertain to defrauding the complainant of huge amount. The petitioner is specifically named in the FIR. It is a case where all the accused induced the complainant to believe that they were actually into the business of selling a 'dragon' said to be helpful in treating cancer. While some of the

accused have acted as sellers of the ‘dragon’ having medicinal properties, some other accused projected themselves as prospective customers. The petitioner was actively associated with all the co-accused including his brother Gurpreet Singh. The petitioner has a chequered history having been involved in other cases as well. As such, his custodial interrogation would certainly be required to unearth all the finer details of entire scam. No special case for grant of anticipatory bail is made out.

7. The petition is sans merit and is hereby dismissed.

22.04.2024
Vimal

(GURVINDER SINGH GILL)
JUDGE

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