

S. No.294

2024:PHHC:059291

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M_19254 of 2024

Date of Decision:30.04.2024

Kulwinder Mahay

.....Petitioner

Vs.

State of Punjab and another

.....Respondents

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Bharat Puri, Advocate for the petitioner.

Mr. Gurpartap Singh Bhullar, AAG, Punjab.

Mr. Vaibhav Narang, Advocate for respondent No.2.

DEEPAK GUPTA, J. (Oral)

Status report by way of an affidavit of Shri Harjinder Singh (PPS), Assistant Commissioner of Police (Model Town), Commissionerate, Jalandhar has been filed on behalf of respondent- State.

Memo of Appearance has been filed on behalf of respondent No.2.

By way of this petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in case FIR No.18 dated 19.02.2024 registered under Sections 406 and 420 IPC at Police Station Division No.7, District Police Commissionerate Jalandhar.

As per prosecution allegations, on the pretext of providing a job in Sports University, Patiala, petitioner obtained ₹9 lakhs from the complainant – Harmanpreet Kaur, who was introduced to the petitioner by his son.

Allegations are that neither any job was arranged for the complainant nor the amount of ₹9 lakhs was returned.

Contention of learned counsel for the petitioner is that an amount of ₹1 lakh only was taken as loan by the petitioner, out of which an amount of

₹15,000/- was paid by transferring the amount in the account of the complainant and rest of the amount was paid in cash.

However, the status report as filed by the respondent- State would reveal the details as to how the amount of ₹9 lakhs has been paid to the petitioner by the complainant from time to time which he took on the pretext of providing a job for her. The status report also reveals that the FIR was registered only after conducting the preliminary inquiry. The facts were duly verified and the allegations in the FIR were found to be correct.

After hearing both the sides, this Court is not inclined to grant the benefit of anticipatory bail to the petitioner, having regard to the nature of accusations against the petitioner as his custodial interrogation may be necessary to unearth the entire truth. Therefore, the present petition is dismissed.

April 30, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No