

2024:PHHC:062842



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

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CRM-M-20817-2024

Date of Decision : **May 07, 2024**

JOGA SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Ms. Ramandeep Kaur, Advocate for
Mr. Varinder Basa, Advocate
for the petitioner.

Mr. Pardeep Bajaj, DAG, Punjab.

Mr. Deepak Arora, Advocate
for the complainant.

KULDEEP TIWARI, J. (Oral)

1. Through the instant petition filed under Section 438 Cr.P.C., prayer is made for grant of anticipatory bail to the petitioner in case FIR No.09 dated 10.3.2024 under Sections 420, 120-B of IPC, registered at Police Station Ghuman Kalan, District Gurdaspur, Punjab.

2. The allegations against the petitioner are that he alongwith co-accused, dishonestly induced the complainant to send his son to UK and on that pretext of the same cheated him for Rs.16 lacs. It transpired from the allegations that Rs.1 lac was transferred through UPI, into the personal account of the petitioner and Rs.7 lacs was transferred to the account of co-accused Sandeep Singh.

3. In the asking for relief (supra), the learned counsel for the



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petitioner submits that the amount which has been received by the petitioner is Rs.1 lac, which was infact, transferred by the complainant being his friend.

4. A specific query was put to the learned counsel for the petitioner, as to whether, such a defence was set up either before the learned Sessions Court, or before this Court, to which the answer was in negative.

5. Further, the learned counsel for the petitioner submits that infact the petitioner is ready and willing to return Rs.1 lac, which infact, has come in his account by way of UPI transfer. The submission made by the learned counsel for the petitioner, is not acceptable as the petitioner alongwith other co-accused has cheated the complainant of Rs.16 lacs whereas, Rs.8 lacs have been transferred either through the bank or through the UPI mode, therefore, the submission made by the learned counsel for the petitioner for returning Rs.1 lac is not bonafide.

6. In view of the above, this Court does not find any merit in the instant petition, therefore, same is ordered to be **dismissed**.

(KULDEEP TIWARI)
JUDGE

May 07, 2024
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Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No