



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

CRM-M-26326-2024(O&M)

Date of decision: 23.05.2024

Gurjant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Aruz Khan, Advocate for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of Cr.P.C. for grant of pre-arrest bail to the petitioner in FIR No. 04 dated 10.01.2024, under Sections 120-B, 420 of Indian Penal Code and Section 24 of Emigration Act, registered at Police Station Koom Kalan, District Ludhiana.

(2) Allegations are that petitioner along with other co-accused duped complainant to the tune of Rs. 5,92,000/- on pretext of sending him to Ukraine; but he failed to do so, nor the money has been returned.

(3) Contends that petitioner used to work as Clerk in the consultancy firm M/s Rex Consultancy owned by co-accused-Monika Rani and he was neither the owner, nor an Immigration Agent. Further contends that an amount of Rs. 3 lakhs was deposited in his bank account and out of that Rs. 2 lakh and Rs.50,000/- has been transferred in the account of Anil Kumar and Rahul Dev, respectively on the asking of co-accused Monika Rani. Also contends that petitioner was an employee of the above accused and not the actual beneficiary.

(4) *Per contra*, learned State counsel has vehemently opposed the prayer while submitting that investigation is still going on and in case, petitioner is granted



pre-arrest bail, there is very likelihood that he shall hamper the fair investigation.

(5) Heard learned counsel for both sides and perused the paper book.

(6) There are specific allegations against the petitioner that he alongwith co-accused cheated the complainant and received money for sending him abroad. Concededly an amount of Rs. 3 lakhs was deposited in the account of petitioner; thus, *prima facie*, he is involved in the commission of crime.

(7) Keeping in view the seriousness of allegations, custodial interrogation of the petitioner is very much necessary to go to the root of matter. Therefore, this Court is not inclined to grant the pre-arrest bail to petitioner.

(8) Consequently, petition is dismissed.

(9) The observations made above be not construed as an expression of opinion on merits of the case; rather confined only to decide the present petition.

(10) Pending application(s), if any, shall also stand disposed off.

23.05.2024
Harish Kumar/v

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No