

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32468-2023
Reserved on: 29.01.2024
Pronounced on: 31.01.2024
2024: PHHC: 013134

KULJEET SINGH @ JEET SINGH

. . . . Petitioner

Vs.

STATE OF PUNJAB

. . . . Respondent

CORAM: HON'BLE MR JUSTICE DEEPAK GUPTA

Present: - Mr. Simranjeet Singh, Advocate, for the petitioner.

Mr. Karunesh Kaushal, AAG, Punjab.

DEEPAK GUPTA, J.

By way of this petition filed under Section 439 CrPC, petitioner prays for his release on regular bail in case FIR No.154 dated 03.08.2018, registered under Sections 420, 120B of IPC registered at Police Station Nathana. District Bathinda.

2. Status report by way of affidavit dated 20.09.2023 of Shri Rashpal Singh, PPS, Deputy Superintendent of Police, Sub Division, Bhucho, District Bathinda; and additional affidavit dated 29.01.2024 of said Shri Rashpal Singh has been received.

3.1 FIR was registered on the complaint of Gurmeet Singh son of Jagjit Singh against Gurpal Singh son of Jangir Singh; Ranvir Singh son of Gurjeet Singh; Kuljeet Singh (*petitioner herein*) son of Gurjeet Singh; and Gurjeet Singh son of Didar Singh, after conducting necessary inquiry. During investigation, Gurtej Singh son of Nachhatar Singh and

Rashpinder Deep Singh Sidhu son of Gurtej Singh also submitted their applications on the similar allegations.

3.2 It was found in the investigation that complainant and petitioner-Kuljeet Singh came to know each other in Bathinda Court and exchanged their mobile numbers. Petitioner told the complainant that he is the permanent resident of USA and will take him to Canada and will get work permit for two years. Petitioner-accused Kuljeet Singh further asked the complainant to come to Jakarta (Indonesia), from where he would take him to Canada. Complainant got his visa for Jakarta and reached there on 07.03.2017, where co-accused Gurpal Singh (mentioned as Bikram in the FIR) was sent by the petitioner-Kuljeet Singh. Said Gurpal took the complainant to Pilon Hotel. He took his passport and other documents from the complainant and ₹2 lakh, which were got converted into US dollars, from the complainant. Complainant was made to talk to petitioner-Kuljeet Singh, who assured to take him to Canada. It was further found that accused-Ranvir Singh, brother of the petitioner-Kuljeet Singh, used to take money from Jagjeet Singh, the father of the complainant, at the instance of the petitioner. Complainant paid ₹20 lakh to the accused i.e. ₹2 lakh (converted into US dollars) at Jakarta and another amount of ₹18 lakh through father of the complainant.

3.3 It was further found that as complainant Gurmeet Singh and other complainant Gurtej became known to each other, complainant informed Gurtej that he had reached Jakarta for onward journey to Canada. Gurtej also reached there, where petitioner-Kuljeet Singh met. On the asking of petitioner-Kuljeet Singh, complainant Gurtej Singh paid ₹21 lakh, out of which ₹2 lakh was converted to US dollar at Jakarta and

another amount of ₹19 lakh was paid in three installments. Petitioner took the documents from complainant Gurtej Singh at Jakarta.

3.4 It is further alleged that when complainant Gurtej Singh was given Visa for Canada by the accused in India on 19.04.2017, Gurtej Singh sent his son-complainant Rashpinder Deep Singh Sidhu to the petitioner at Jakarta for sending him to Canada. Petitioner took all the documents as well as ATM of ICICI Bank in the name of mother of Rashpinder Deep Singh Sidhu. Family members of the said complainant deposited amount in the bank account and the petitioner withdrew that amount through ATM. An amount of ₹21 lakh was withdrawn on different dates through ATM as per the details given in the status report.

3.4 Petitioner was arrested on 18.03.2023. After necessary investigation, challan has been filed.

4. It is contended by Id. counsel that petitioner has been falsely implicated; that he is in custody for the last more than 10 months and not required for further investigation; that trial is likely to take long time and so, in all the circumstances, he be granted bail.

5. Strongly opposing the bail petition, Id. State counsel has drawn attention of this Court towards the fact that petitioner along with his co-accused has duped the three complainants to the tune of ₹62 lakh; that nothing has been got recovered from them and that in case petitioner is released on bail, he may influence the witnesses. Attention is further drawn towards the custody certificate, revealing that petitioner is involved in one more similar case, showing his propensity for committing such crimes.

6. I have considered submissions of both the sides and have appraised the record carefully.
7. No doubt that investigation is already complete and challan has already been filed, but at the same time, Court cannot ignore the nature of allegations against the petitioner and the huge amount of ₹62 lakh, which has been duped by the petitioner along with co-accused from the three complainants. Apprehension of the State cannot be ruled out that in case petitioner is granted bail, he may try to influence the witnesses.
8. Having regard to all the facts and circumstances, but without commenting anything further on merits of the case, this Court is not inclined to grant regular bail to the petitioner. As such, the present petition is hereby dismissed.

31.01.2024
Vivek

(DEEPAK GUPTA)
JUDGE

1. Whether speaking/reasoned?
2. Whether reportable?

Yes
No