



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-38252-2024

Date of Decision : **September 13, 2024**

RANDHIR SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Pardeep Kumar Kapila, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

Mr. Amaninder Singh Sekhon, Advocate
for the complainant.

KULDEEP TIWARI, J.

1. The petitioner having apprehension to be arrested in case FIR No.204 dated 27.5.2024, under Sections 406/420/120-B/370 IPC, registered at Police Station City, Faridkot, District Faridkot, has filed the instant petition under Section 438 Cr.P.C., seeking the relief of pre-arrest bail.
2. In the instant case, the allegations as culled out by the learned Additional Sessions Judge, Faridkot while declining the relief of anticipatory bail, read as under:-

“Briefly, the facts and circumstances necessary and relevant to be detailed herein are that the present FIR was got registered after due inquiry on the basis of complaint



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moved by Avtar Singh with the conclusion that Jaspal Singh, Gurdev Singh, Randhir Singh (accused-applicant), Manpreet Singh and two unknown persons have cheated complainant for a sum of Rs.84 Lac for the purpose of sending his son Amrik Singh alongwith his wife Arshdeep Kaur to America via Canada. Further after arranging tourist visa to them, the said persons instead of sending them through proper route to America, send them to Canada that too on tourist Visa, where from they were forced to return India finding no hope to reach them in America at the instance of accused persons by arranging the ticket through Avtar Singh brother of Amrik Singh. Initially all the said persons remained in contact to return their said amount while admitting their act of cheating to them to the tune of Rs.84 Lac, later on they not only failed to fulfill their said promise rather resiled from returning that sum.”

3. The prime submissions made by the learned counsel for the petitioner are that the entire allegations are baseless and without substantiating any documentary evidence. He further submits that there is no proof with the prosecution to establish that such a huge amount of Rs.84 lacs was given to the accused persons, that too, in cash. He also submits that the petitioner is having clean antecedents and is never involved in the business of sending the people to abroad.

4. Upon notice, the State has filed specific reply disclosing therein the role of the present petitioner and the incriminating evidence as on date collected by the investigating agency.



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5. During the investigation, the prosecution agency has collected the evidence to prove the source of funds of the complainant. Further, the photographs, which were clicked at the time of transaction of money between the complainant and the accused persons, were also handed over to the prosecution agency by the complainant. The call details of the phone i.e. CDR was also obtained by the investigating agency, which *prima facie* established the allegations, as levelled by the complainant. As per the prosecution, the role of the petitioner, as surfaced in the investigation is that the petitioner is an old associate of co-accused Gurdev Singh. His son Manpreet Singh is already staying in America. He by taking the name of his son, allure people to send them to America and quote huge amount for the same. Co-accused Jaspal Singh and Gurdev Singh gave him a tip about the victim Amrik Singh that he intending to go to America and thereafter they all hatched a criminal conspiracy in connivance with each other and cheated the complainant for the huge amount of Rs.84 lacs. He also arranged victim's conversation with his son and co-accused Manpreet Singh to win their confidence and screenshot of the conversation done with them is a part of the preliminary inquiry. Learned counsel for the petitioner while submitting that the allegations are false and there is no transaction through bank, has offered no explanation to all the incriminating evidence, as collected by the investigating agency. There are serious allegations that the petitioner is involved in human trafficking and duped the complainant to the tune of Rs.84 lacs.



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6. In view of the above recorded facts and circumstances, this Court is not inclined to grant the relief of pre-arrest bail to the petitioner, therefore, the instant petition is, hereby, **dismissed**.

7. However, anything observed here-in-above shall have no effect on the merits of the case and is meant for deciding the present petition only.

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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No