

210

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M No.52135 of 2023

Date of Decision:-25.01.2024

HARPREET SINGH BAJWA

... Petitioner

Versus

STATE OF PUNJAB

... Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Sandeep Kumar Yadav, Advocate,
for the petitioner.

Mr. Harpreet Singh, Addl. AG, Punjab.

Mr. Sukhdev Singh Khokher, Advocate,
for the complainant.

SANJIV BERRY, J (ORAL)

By way of the present petition filed under Section 438 Cr.P.C the petitioner is praying for anticipatory bail in the event of arrest in FIR (Annexure P-1) detailed as under:-

FIR No.	Dated	Sections	Police Station
17	10.03.2023	406, 420, 465, 467, 468, 471, 120-B IPC and 64 of Punjab Police Act, 2007	Begowal, District Kapurthala.

2. Brief facts of the case are that Mandeep Singh complainant filed a written complaint against Harpreet Singh Bajwa, Satnam Singh and Kulwinder Kaur alleging that the aforesaid persons had cheated the

complainant by impersonating themselves as higher ranked police officers and performed marriage of accused Harpreet Singh Bajwa with the sister of the complainant. It is also alleged that accused had received ₹8 lacs on the pretext of arranging nursing job for the sister of the complainant and hence FIR was registered.

3. It is *inter alia* contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He submits that co-accused are already on bail in the present case. He submits that petitioner and his wife are having matrimonial dispute and to settle the score present FIR has been registered. He submits that petitioner is not involved in any other criminal case and is ready to join investigation, as such he prays for grant of concession of anticipatory bail to the petitioner.

4. Per contra, learned State counsel has opposed the bail application by arguing that considering the nature and gravity of the offence petitioner is not entitled for concession of bail. He has referred to the reply dated 11.01.2024 and submits that an inquiry was entrusted to SP(D) Kapurthala and during inquiry it transpired that complainant had paid sum of ₹49,02,731/- to accused including petitioner by transferring the same in the Bank accounts of all the accused, however, petitioner failed to return Rs.14,26,431/- and an amount of ₹8,00,000/- was obtained from complainant on the pretext of getting job for his sister. He also submits that petitioner had returned some amount but failed to return the whole amount. He submits that petitioner impersonated himself as an IPS Officer before the complainant and some photographs have already been provided by the complainant to the police. He submits that there are specific allegations

against the petitioner of cheating and forgery and a huge amount is yet to be recovered, as such custodial interrogation is required.

5. After Considering the rival contentions and perusing the record it transpires that there are specific allegations against the petitioner of having duped complainant by impersonating as high rank police officer. The photographs placed on record by State would reveal this fact that the petitioner had been pretending in police uniform as an IPS Officer. Further, the instant case has been registered after thorough inquiry by senior rank i.e the Superintendent of Police, which transpires that the petitioner had duped the complainant party of around ₹49 lacs which were transferred by the complainant in the account of the accused including petitioner. There are also specific allegations that the petitioner had procured the appointment letter dated 10.11.2021 (Annexure A-1) allegedly issued by Director Health and Family Welfare Punjab, Chandigarh for providing job to the sister of the complainant which was found to be forged and fabricated document.

6. Considering the above circumstances, nature and gravity of the offence, it is observed that no case is made out in favour of the petitioner for grant of anticipatory bail, as a consequent the petition is hereby dismissed.

7. Any observation made above shall not be construed as opinion of this Court on the merits of the case.

(SANJIV BERRY)
JUDGE

25.01.2024

Gyan

i)	Whether speaking/reasoned?	Yes/No
ii)	Whether reportable?	Yes/No