



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-50914-2024

DATE OF DECISION: 18.10.2024

RAJINDER SINGH

...PETITIONER

Versus

THE STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Varun Goyal, Advocate for the petitioner(s).
Mr. Jaspal Singh Guru, AAG, Punjab.
Ms. Satpreet Grewal Kapila, Advocate
for the complainant.

SANDEEP MOUDGIL, J (ORAL)1. Relief Sought

This petition has been filed under Section 482 of BNSS for grant of anticipatory bail to petitioner in FIR no. 44 dated 2.05.2024 under Sections 420/34 IPC registered at P.S.- Haryana, Distt Hoshiarpur.

2. Prosecution story, set up in the present case as per the version in the FIR read as under :-

'Sir, I respectfully request that I, Manpreet Singh, son of Mr. Kuldeep Singh, a resident of village Kangmal, PS-. Haryana, Distt Hoshiarpur. I wanted to go abroad. My cousin Rajinder Singh has gone to Romania. Her mother Raj Rani told us that my son has Visas and if you want to go to Rominia then you can go. Raj Rani told me to get my work permit visa issued and for which expense of 3,50,000 (three lakh fifty thousand rupees) will cast. We arranged the money with great difficulty. We gave the passport and some documents to Raj Rani. Rajinder Singh sent my visa on my WhatsApp then Raj Rani gave us an account number. My grandfather Ajit Singh from his account number 0412051540 through RTGS on 10.08.2023 transfer Rs



2,70,000/- to Ramoo (48408100006916) bank of Baroda Reference no. CLBLR-2023222000000529. We asked Sukhwinder Kaur and Raj rani that our visa is visitor visa then they told me after reaching over there, my son will convert it into work visa. We believed their words to be true as they were neighbor. Then Raj Rani and Sukhwinderkaur demanded remaining Rs 80,000/- and we assured them to be hand over the same after our flight would be booked. The above agent Sukhwinder Kaur and Raj Rani has booked by flight on 05.09.2023 for Romania. I reached over there to Rajinder Singh. Ramoo was also residing in a same room in which Rajinder Singh residing and the said Ramoo was the same person in whose account in transferred the money. The above named person told me about Ramoo is that he is a big agent. My grandfather gave cash of 80,000 rupees to Sukhwinder Kaur and Raj Rani on the day of the flight. I reached Romania and asked Rajinder Singh what will happen to my work permit then Rajinder Singh said that you should not worry. On the third day, i said to him to provide employment and get my work permit passed. Every time this Rajinder Singh used to get angry when I asked for a work permit. One day he put a revolver on my arm and forced me to sing dirty songs. He also made me drink and then made a video of me. Then one day he forced me to drink alcohol and made me do something wrong with my private parts at the neck of the weapon and made my video. Then they started asking me to do more wrong things but I did not agree and they abused me and pushed me out of the room and said that go wherever you wanted to go. I met a Punjabi boy and I started stay in a hostel. I didn't have money for a return ticket. Raj Rani, Sukhwinder Singh, Rajinder Singh were not coming to the point. When my family got the ticket money, I came back to India, but the Romanian police fined me 10,500 rupees (receipt attached). I came home on 17.12.2023. Now they are making my video viral and Rajinder Singh is saying that I have to make the video more viral otherwise stop



asking for money. It is worth mentioning here that the person named Ramu in whose account the agents of our village had deposited the money, Ramu transferred all the money to Sukhwinder Kaur's account number 110130696032 in Canara Bank Haryana. Now when Raj Rani came to know about this that legal action can be taken against them, and now Raj Rani is also waiting to flee abroad. Sukhwinder Kaur already went to Romania with her husband. It has also mentioned here that Rajinder Singh does not any work in Romania and also cheated number of boys like me. The said money got transferred in the account of Sukhwinder Kaur. I am requesting the kindly impound the passport of Raj Rani without delay and legal action may kindly be taken against these people. Fir under cyber crime may kindly be registered against Rajinder Kaur for making my video viral. These people are running a racket who are blackmailing the people in name of sending them abroad. Instead of returning my money, Rajinder Singh make my video and further blackmailing me. so legal action may kindly be taken against these persons.xxxxxxx

3. Contentions

On behalf of the petitioner

Learned counsel for the petitioner has argued that the petitioner has been falsely implicated in this case and the amount whatsoever is either paid to co-accused-Ramoo or to the wife of the petitioner by way of cheque or cash. From the perusal of the FIR, no incriminating material is coming forth against the present petitioner who has pleaded not to be a beneficiary of the alleged transaction in any manner. It is asserted on behalf of counsel for the petitioner that the instant FIR was lodged on second complaint after first complaint made by the complainant was found to be false having no evidence to support his case.



Notice of motion.

On the asking of Court, learned State Counsel appearing on advance notice, accepts notice on behalf of respondent-State.

On behalf of the State

Learned State Counsel appearing on advance notice on instructions from ASI Pawan Kumar vehemently opposes the prayer for grant of concession of anticipatory bail stating that an amount of Rs. 2.70 lakhs was transferred by grandfather namely Ajit Singh of the complainant from his account on 10.08.2023 in the account of Ramoo and another cash amount of Rs. 80,000/- was paid to Raj Rani and Sukhwinder Kaur (wife of the petitioner) on their demand.

4. Analysis

Be that as it may, after given a thoughtful consideration to the submissions as made, by the counsel for both the parties, since nothing is to be recovered from the petitioner in as much as admittedly before this Court and the State Counsel and counsel for the complainant have fairly stated that nothing was deposited with the petitioner but Sukhwinder Kaur who is wife of the petitioner who has received an amount of Rs. 80,000/-. Hence, this Court finds no reason to deny the petitioner the concession of anticipatory bail, wherein the petitioner has bona fide intentions and is willing to join the investigation and cooperate for furtherance of the same so that the final report can be submitted by the Investigating Agency within the stipulated time period.

5. Decision

Hence, in view of the admitted set of circumstances before this Court, the petitioner is hereby directed to be released on



anticipatory bail subject to him joining investigation and reporting to the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the terms and conditions as envisaged under Section 482(2) of BNSS of which are reproduced below :-

‘When the High Court or the Court of Session makes a direction under sub-section (1), it may include such conditions in such directions in the light of the facts of the particular case, as it may think fit, including-

- (i) a condition that the person shall make himself available for interrogation by a police officer as and when required;*
- (ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- (iii) a condition that the person shall not leave India without the previous permission of the Court;*
- (iv) such other condition as may be imposed under sub-section (3) of section 480, as if the bail were granted under that section.’*

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stand cancelled.

The petition in the aforesaid terms stand allowed.

(SANDEEP MOUDGIL)
JUDGE

18.10.2024
anuradha

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No