



CRM-M-51584-2024

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

228-2

CRM-M-51584-2024

Date of decision: 13th November, 2024

Amandeep Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA

Present: Mr. Nikhil Ghai, Advocate for the petitioner.

Mr. A.S. Samra, AAG, Punjab.

MANISHA BATRA, J (ORAL):-

The present petition has been filed by the petitioner seeking grant of regular bail in case bearing FIR No. 4 dated 07.01.2017 registered under Sections 420, 465, 468, 471 and 120-B of IPC, 1860 at Police Station City Jalalabad, District Fazilka.

2. As per the prosecution case, a written complaint was lodged by the complainant Ashok Kumar, alleging therein that the present petitioner along with the co-accused had induced him to pay an amount of Rs. 73,000/- on the pretext of securing a job for his nephew as Library Attendant in Punjab School Education Board, Mohali. After receiving this amount, the petitioner and co-accused issued a forged appointment letter in the name of his nephew. When the nephew of the complainant went to the office of Chairman, Education Board for joining, he came to know that appointment



letter was forged. The complainant demanded his money back but the petitioner bluntly refused to pay the same. By alleging that he had been duped of Rs. 9,73,000/-, the complainant prayed for taking action in the matter. On his complaint, a case under Sections 420, 465 and 471 read with Section 120-B of IPC was registered. Investigation proceedings were initiated. The petitioner could not be arrested immediately. Proclamation proceedings were initiated. He was arrested in this case on 08.04.2024. He moved an application for grant of regular bail which was dismissed by the Court of learned Additional Sessions Judge, Fazilka vide order dated 20.08.2024.

3. It is argued by learned counsel for the petitioner that he has been implicated in this case on false and vague allegations. The FIR had been lodged after a delay of seven years. It was on account of his false implication in several cases that he was compelled to leave his house and was declared a proclaimed person. There is no documentary proof with regard to giving of amount of Rs. 9,73,000/- by the complainant to the petitioner. Investigation has since been completed. His custodial interrogation is no more required. The FIR was registered after a delay of more than seven years. Therefore, it is urged that he deserves to be extended benefit of bail.

4. Status report has been filed by respondent-State. In terms thereof, it is argued by learned State counsel that the petitioner has criminal antecedents and is a habitual offender since he had been booked in forty six other cases of similar nature. He has been convicted in one of such cases and



is facing trial in others. He has also been declared an absconder/ proclaimed person in some of the cases registered against him. Trial is going on at a proper pace. There are chances of his absconding or committing similar offence, if extended benefit of bail. Therefore, it is argued that the petition does not deserve to be allowed.

5. I have heard learned counsel for the petitioner as well as learned State counsel at considerable length and have gone through the record carefully.

6. The petitioner is alleged to have duped the complainant of a sum of Rs. 9,73,000/- by conniving with the co-accused on the pretext of securing a government job for his nephew. He is a habitual offender as he is stated to be involved in forty six cases. He has also been declared an absconder. There is nothing on record to show that there would be any undue delay in conclusion of the trial. Keeping in view the nature of allegations as levelled against the petitioner, his antecedents and the attendant facts and circumstances of the case but without meaning to make any comment on the merits thereof, I am of the considered opinion that the petition does not deserve to be allowed at this stage. Hence, the same is dismissed.

7. Since the main petition has been dismissed, pending application, if any, is rendered infructuous.

[MANISHA BATRA]
JUDGE

13th November, 2024

Parveen Sharma

1. Whether speaking/ reasoned	:	Yes / No
2. Whether reportable	:	Yes / No