



CRM-M-51562-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-51562-2024

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. 80 dated 06.05.2024 registered under Sections 420 and 406 of IPC, 1860 at Police Station Sadar Fazilka, District Fazilka.

2. Adumbrated facts as emanating from the record are that the complainant Jugraj Singh lodged a complaint alleging therein that the present petitioner along with co-accused Satbir Singh and Sarv Satya Chauhan by alluring him to get his son recruited as Sub Inspector in Punjab Police took a sum of Rs. 70,00,000/- from him but did not get him appointed as such and when he demanded his money back, they started extending threats to him. By alleging that, he had been cheated by the petitioner and co-accused, he prayed for taking action in the matter. On receipt of his



complaint, initially an inquiry was conducted into the matter which revealed that the present petitioner in connivance with the co-accused by inducing the complainant to get his son appointed in Punjab Police had extracted a sum of Rs. 70,00,000/- from him. After registration of FIR, investigation proceedings were initiated. The petitioner was arrested on 17.07.2024. He moved an application for grant of regular bail before the learned Additional Sessions Judge, Fazilka which was dismissed vide order dated 20.09.2024.

3. It is argued by learned counsel for the petitioner that he has been implicated in this case on false, improbable and unnatural allegations. He is in custody since 17.07.2024. The complaint had been filed by the complainant after a gap of seven years. There is no allegation of entrustment of any specific amount of money by the complainant to the petitioner. His custodial interrogation is no more required. Trial is likely to take time. He has been extended benefit of interim/anticipatory bail in most of the cases which have been registered against him. Therefore, it is urged that the petition deserves to be allowed.

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. There are chances of his absconding or committing similar offence, if extended benefit of bail. Trial is going on at a proper pace. He in connivance with the co-accused caused



wrongful loss of Rs. 70,00,000/- to the complainant. Whatsapp messages and calls exchanged between the petitioner and the complainant had been collected during the course of investigation which show that he had committed offence of cheating. As such, it is urged 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. 70,00,000/- by conniving with the co-accused on the pretext of securing a government job for his son. He is a habitual offender as he is stated to be involved in forty six cases. He had 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*
2. *Whether reportable*

: *Yes / No*
: *Yes / No*