

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(I) CRM-M-57871-2023 (O&M)

Gurinder Singh @ GuriPetitioner
Versus
State of UT, ChandigarhRespondent

(II) CRM-M-59891-2023 (O&M)

RituPetitioner
Versus
State of UT, ChandigarhRespondent

Date of Decision: 24.04.2024

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Anurag Arora, Advocate, for the petitioner
in CRM-M-57871-2023.

Mr. T.P.S.Bawa, Advocate, for the petitioner
in CRM-M-59891-2023.

Mr. Vivek Singla, Addl.PP, UT Chandigarh.

Mr. Saurabh Bahmani, Advocate, for
Mr. M.S.Longia, Advocate, for respondent No.2/complainant.

FIR No.	Dated	Police Station	Section/s
0162	14.10.2023	South Sector-34, Chandigarh	409, 419, 420, 467, 468, 471, 120-B IPC

GURVINDER SINGH GILL, J.

1. This order shall dispose off the aforesaid two petitions filed on behalf of Gurinder Singh @ Guri and Ritu respectively, seeking grant of anticipatory bail in respect of aforementioned FIR.

2. The FIR in question was lodged at the instance of Sukhbir Singh, wherein it is alleged that he has been cheated by the accused of an amount of Rs.2,20,000/- on the pretext of sending him abroad and that the accused had also appended complainant's false and fabricated signatures and had got a bank account opened in the name of the complainant, wherein huge transactions of about Rs.1,78,82,628/- had been effected.
3. While petitioner in CRM-M-57871-2023, namely, Gurinder Singh @ Guri is stated to be Proprietor/Owner of M/s Eagle I Advisor, petitioner in CRM-M-59891-2023, namely, Ritu is stated to be an employee of the IndusInd Bank.
4. Learned counsel appearing on behalf of petitioner - Gurinder Singh @ Guri submits that as per the complainant's case he had been cheated of an amount of Rs.2,20,000/- on the pretext of sending him abroad and that since the said amount already stands returned to the complainant, he deserves the concession of anticipatory bail. Learned counsel further submits that as a matter of fact the petitioner has also paid another amount of Rs.20 lakhs to the complainant by cash, which somehow the complainant is refusing to acknowledge.
5. Learned counsel representing petitioner - Ritu submits that she has nothing to do with the affairs of M/s Eagle I Advisor and that she has been roped in solely on account of the fact that she happens to be working in the bank where the complainant was maintaining an account, which allegedly was misused by co-accused Gurinder Singh @ Guri.
6. Opposing the petitions, learned State counsel submits that it is a case where huge transactions were effected in the bank account of the complainant by

manner with the assistance of the employees of the Bank, the complicity of petitioner - Ritu is also evident. Learned State counsel further submits that since the petitioner - Gurinder Singh @ Guri stands involved in as many as 44 other cases of similar nature across India, he does not deserve the concession of anticipatory bail.

7. This Court has considered rival submissions.
8. As far as petitioner – Gurinder Singh @ Guri is concerned, it needs to be noticed that when the matters were taken up on 01.12.2023, since it had been represented on behalf of the petitioner – Gurinder Singh @ Guri that the parties had reached an amicable settlement, the Coordinate Bench while granting interim bail to both the petitioners adjourned the matter to 26.02.2024. On the last date of hearing i.e. 26.02.2024, learned counsel had again submitted that the matter had been amicably resolved and an amount of Rs.10 lakhs is yet to be paid and that the petitioner undertakes to pay an amount of Rs.5 lakhs by 10.03.2024. However, today the learned counsel representing the complainant submitted that no such amount was received by the complainant. Although, learned counsel appearing on behalf of petitioner – Gurinder Singh @ Guri tried to explain that the amount had been paid in cash and that no receipt had been taken from the complainant, but in the absence of evidence to substantiate the payment of amount, it cannot be accepted that the amount had been paid by the petitioner - Gurinder Singh @ Guri to the complainant. In any case, having regard to the nature of offence and the fact that the petitioner - Gurinder Singh @ Guri is a seasoned criminal having been involved in a large number of cases, this

Court does not find any special case for grant of anticipatory bail to the petitioner.

9. As far as petitioner – Ritu is concerned, she is stated to be an employee of IndusInd Bank where the complainant was maintaining a bank account. At this stage, it cannot be presumed that she was involved in forgery of any document for getting the bank account opened by dubious means. There is nothing to show that she had benefitted in any manner. The petitioner, in any case, being a lady would warrant taking a lenient view in the matter of grant of bail particularly when she is not stated to be involved in any other case. Thus, the petition on her behalf merits acceptance.
10. In view of the discussion made above, while CRM-M-57871-2023 filed on behalf of Gurinder Singh @ Guri is dismissed and the interim directions issued vide order dated 01.12.2023 qua the petitioner – Gurinder Singh @ Guri stand vacated, CRM-M-59891-2024 filed on behalf of Ritu is accepted and the interim directions issued by this Court vide order dated 01.12.2023 qua the petitioner – Ritu are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.
11. A photocopy of this order be placed on the connected file.

24.04.2024

Vimal

**(GURVINDER SINGH GILL)
JUDGE**

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