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

**CRM-M-8861-2025 (O&M)
Date of decision: 25.03.2025**

Darshan Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. P.K. Bansal, Advocate
for the petitioner.

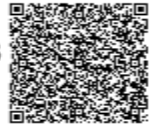
Mr. Subhash Godara, Addl. A.G., Punjab.

Mr. Karanjit Singh, Advocate
for the complainant.

HARPREET SINGH BRAR, J. (ORAL)

1. Present petition has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 for grant of anticipatory bail in FIR No.440 dated 29.12.2024 under Section 318(4) of the Bharatiya Nyaya Sanhita, 2023, registered at Police Station City Ferozepur, District Ferozepur.

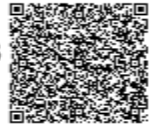
2. In nutshell, the facts of the case are that FIR (*supra*) was registered on the basis of an application moved by the complainant on the allegations that he was running the commission agency under the name and



style of M/s Manjit Singh Babandeep Singh in Grain Market, Ferozepur City. The petitioner was working as Accountant in his firm for the last two years and on different dates, he auctioned the material in his name. About 5-6 days ago, the petitioner stopped coming to work and when asked about the reason for not coming, he said that his wife is ill and is under treatment. After 4-5 days, the complainant came to know that the petitioner committed fraud with him, as he shown purchase of 2300 bags in his name and got transferred the amount in his bank account from the govt. Thus, the petitioner cheated the complainant of Rs.20,01,000/-. It was prayed that legal action be taken against the petitioner.

3. Learned counsel for the petitioner, *inter alia*, contends that entire transaction for making the payment for the agricultural produce was digitally done and for this purpose, log-in ID, password and the mobile number, on which OTPs were sent, remained with the complainant. The payment was directly made to the farmers after purchasing their agricultural produce and in the present case, no grievance has been raised by any of the farmers.

4. *Per contra*, learned State counsel, assisted by learned counsel for the complainant, opposes the prayer for grant of anticipatory bail to the petitioner on the ground that the petitioner was working as Accountant with the complainant on a monthly salary of Rs.10,000/- and he usurped more than Rs.20.00 lakhs. The petitioner got transferred the amount in his bank account, for which he has no explanation to offer. Earlier stand taken by the petitioner that he has taken the land on lease and after sale of agricultural produce, he got



transferred the amount in his account. On 17.02.2025, the petitioner was directed to produce the documents to show ownership of land as well as sale of agricultural produce for the last five years and in spite of taking two opportunities, the petitioner failed to produce any document to rebut his arguments that the amount in his account was transferred in lieu of agricultural produce sold by him. The necessary ingredients to invoke the provisions of alleged offence are clearly attracted.

5. Having heard learned counsel for the parties and after perusing the record of the case with their able assistance, it transpires that the petitioner has cheated the complainant of more than Rs.20.00 lakhs, as such, his custodial interrogation is imperative to conduct proper investigation.

6. Keeping in view the facts and circumstances of the case, without commenting anything further on merits of the case, lest it may prejudice the rights of either of the parties, this Court finds no ground to grant the concession of anticipatory bail to the petitioner.

7. Accordingly, the present petition is dismissed.

25.03.2025
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[HARPREET SINGH BRAR]
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No