



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

CRM-M-60030-2024
Date of decision: 09.01.2025

Jatinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Gagandeep Singh Bajwa,
Advocate for the petitioner.

Mr. J.S. Dhaliwal, AAG, Punjab.

KARAMJIT SINGH, J. (ORAL)

1. The present petition has been filed by the petitioner under Section 482 of BNSS 2023, praying for grant of anticipatory bail in a criminal case having FIR No.197 dated 21.08.2024, under Section 406/120 IPC and Section 13 of Punjab Travel Professionals (Regulation) Act 2014, Police Station Rama Mandi, District Jalandhar City.

2. The allegations in nutshell are that complainant reported to the police that his son Angrej Singh intended to go to Australia in search of employment and he contacted the present petitioner who was a travel agent. The petitioner took amount of Rs.16,84,000/- from him on the pretext of sending him abroad. Thereafter, the petitioner failed to do so and also refused to return the amount. That out of the aforesaid total amount, petitioner received Rs.12,80,000/- through RTGS and another Rs.1,50,000/- through google pay and the balance amount was received by the petitioner



in cash.

3. The counsel for the petitioner inter alia submits that petitioner is falsely implicated in the present case at the instance of complainant Harchand Singh who himself was working as a travel agent and the complainant used to deal with the different customers and in order to evade tax, complainant and his son Gursewak Singh used to receive money in the bank account of the petitioner who is an illiterate person. It is further submitted that the said deposited amount used to be returned by the petitioner to the complainant and his son, after its withdrawal by the petitioner from his bank account. The counsel for the petitioner further submits that the petitioner is ready and willing to join investigation with the police.

4. The status report by way of affidavit of Nirmal Singh, Assistant Commissioner of Police, Sub Division, Central Jalandhar filed on behalf of respondent-State was taken on record.

5. The State counsel while resisting the present petition submits that there are specific allegations against the present petitioner that he took amount of Rs.16,84,000/- from the complainant party on the pretext of sending son of the complainant to Australia, but thereafter, petitioner failed to fulfil his promise and also misappropriated the aforesaid amount. It is further submitted that out of the aforesaid total amount, petitioner received amount of Rs.12,80,000/- through RTGS and Rs.1,50,000/- through google pay in his bank account, from the complainant party. It is further submitted that custodial interrogation of the petitioner is required for proper and thorough investigation in this matter.

6. There are grave allegations against the petitioner that he



received amount of Rs.16,84,000/- from the complainant side on the pretext of sending son of the complainant to foreign country. Out of the aforesaid amount, petitioner received amount of Rs.12,80,000/- through RTGS and Rs.1,50,000/- through google pay from the complainant party. The plea taken by the petitioner that actually the aforesaid amount was deposited in his bank account on behalf of the complainant in order to conceal his real income from income tax department, is of no consequence at this stage when the investigation is at its threshold. This Court is of the view that custodial interrogation of the petitioner is required to unearth the truth. Thus, no ground is made out to grant anticipatory bail to the petitioner.

7. In light of the above, the present petition is hereby dismissed. However, it is made clear that any observations made herein above are not to be construed as an expression of opinion on the merits of the case.

09.01.2025

Yogesh

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned:-
Whether reportable:-

Yes/No
Yes/No