

**In the Court of Rajesh Kumar,
Additional District and Sessions Judge, Amritsar**

CNR No. PBAS010098302023



Case No. BA/3269/2023

Presented on : 05-06-2023

Registered on : 06-06-2023

Decided on : 09-06-2023

State

Vs.

Kulwant Singh s/o Sewa Singh, r/o 184, village Gumtala, Airport Road,
Tehsil and District Amritsar.

..... Accused

**FIR No.21 Dated 15.02.2023.
Under Sections 420, 34 IPC
Police Station: Kamboj, Amritsar.**

Present:- Sh. P.S. Kamboj, Adv. counsel for applicant/accused
Ms. Rittu Kumar, learned Addl.PP for the state

ORDER:-

1. This order of mine shall dispose of bail application filed by the applicant/accused under Section 438 of Cr.P.C.
2. Present FIR has been lodged after enquiry on the complaint moved by complainant Lakhbir Singh alleging therein that on 21.09.2021

Jaswindeer @ Jassa met him in a barber shop through Gurnam Singh and told that his name is Advocate Balbir Singh and he has in touch with higher officers and he could get him confirmed (permanent) in the police department and for this purpose demanded Rs.Six Lacs. That on 29.09.2021 Jassa along with Balbir Singh Advocate took him to the office of DGP Chandigarh from where Jassa took Rs.Four Lac from him and handed over the same to Balbir Singh Advocate. They assured to give him the order regarding permanent job on making remaining payment of Rs.Two Lacs. Thereafter, he transferred Rs.50,000/- on 02.12.2021 in the account of Jassa and remaining payment of Rs.1,50,000/- was deposited by him on 03.12.2021 in the account of Kulwant Singh. Thereafter, Sukhmanjit Singh also deposited Rs.3,00,000/- in the account of Kulwant Singh for arranging permanent job for him. Sukhmanjit Singh also made payment of Rs.50,000/- on 10.10.2022, Rs. 2,00,000/- on 19.09.2022. But, accused persons neither returned the money to them nor arranged permanent jobs for them.

3. Notice of bail application was given to state and record was also summoned.

4. Learned counsel for the applicant argued with the lines of bail application and submitted that applicant is ready to join the

investigation as per the terms and conditions imposed by the court. On the contrary, learned Addl.P.P. for the state has argued that custodial interrogation of applicant is essential for excavating the true facts. Thereafter, prayer was made to dismiss the bail application.

5. Heard. As per the allegations of the prosecution, applicant/accused in connivance with other co-accused took huge amount from the complainant and one Sukhmanjit Singh in order to confirm them in the police department but failed to keep their words and this way cheated the complainant and Sukhmanjit Singh. Complainant stated that applicant was involved in the conspiracy with other co-accused and amount was also transferred in his account. The allegations against the applicant/accused were found to be true in the enquiry. The entire gamut of facts reveal that prima-facie the allegations against the applicant/accused of cheating the complainant in connivance with other co-accused are there and as such, the custodial interrogation of the applicant/accused is necessary in the present case in order to reach the root of the case and to excavate the true facts. No special ground is made out to grant pre-arrest bail to the applicant at this stage. Therefore, without commenting on merits, the instant bail application deserves

dismissal and is hereby dismissed. Police record be returned forthwith and bail application file be consigned to record room.

PRONOUNCED IN OPEN COURT.

DATED: 09.06.2023.

**(RAJESH KUMAR)
ADDITIONAL SESSIONS JUDGE,
AMRITSAR. UID No.PB0441**

Narinder Sharma, Stenographer Grade-II