

**In the court of Dr. Gopal Arora, Additional Sessions Judge,
Hoshiarpur, UID No. PB0194**

CIS No. BA/1772/2021
CNR No. PBH001004728-2021
Date of order: 26.07.2021

Dr. Bhupinder Singh aged 68 years son of Malla Singh resident of H. No. 8-D Vikas Colony, Patiala.

Accused-applicant

Versus

State of Punjab

-- Respondent.

FIR No. 136 dated 9.10.2020
U/s 420, 34 of IPC and Section 24 of Immigration Act
P.S. Mehtiana Distt. Hoshiarpur

(First application for anticipatory bail U/s 438 CrPC)

Present: Sh. Sarabjit Singh advocate, for applicant-accused.
Sh. Gurpreet Singh, Addl. PP for the State.

ORDER:

This order of mine shall dispose of an application filed by applicant/accused for grant of anticipatory bail in FIR No. 136 dated 9.10.2020, under Section 420, 34 IPC and Section 24 of Immigration Act, pertaining to Police Station Mehtiana Distt. Hoshiarpur.

2. As per allegations in brief, the present case was registered against the accused on the basis of application moved by Balbir Singh s/o Kishan Singh, Kuldip Singh son of Kundan Singh, Paramjit Singh son of Joginder Singh, in which they alleged that Mohinderjit Kaur w/o Paramjit Singh, Arunpreet Kaur w/o Paramjit Singh and Dr. Bhupinder Singh

(present applicant-accused) had taken huge amount from them for sending their children to abroad. It has been further alleged that the accused persons had returned Rs. 3,50,000/- out of Rs. 8,00,000/- to Kuldip Singh, however the accused have refused to return the remaining amount of Rs. 17,85,000/-. It has been further alleged that the accused are very clever and have been delaying it by making excuses for about 2 years and when they are demanding money from the accused, they are arguing and taking undue advantage of their influence they are threatening to get them involved in a false case.

3. The learned counsel for accused/applicant has contended that the applicant-accused is innocent person and he has been falsely implicated in the present case. He has further contended that the alleged amount was transferred in the account of co-accused Mohinderjit Kaur and Anupreet Kaur and the applicant has nothing to do with the said transactions. He has further contended that the applicant-accused is not required for any custodial interrogation and he is ready to join investigation.

4. The application is opposed by the prosecution by submitting that the applicant-accused alongwith his co-accused has cheated the innocent persons on the pretext of sending their children to abroad but neither they send their children abroad nor returned the money.

5. I have carefully considered the submissions of learned counsel for applicant-accused and learned Addl. PP for the State.

6. Perusal of police record prima facie shows that an amount of Rs. 3 lakhs has been given by Kuldeep Singh complainant on behalf of her daughter for sending her abroad on 8.9.2017 in the account of accused Dr. Bhupinder Singh. Further an amount of Rs. 1 lakh was given by Kuldeep Singh on 11.9.2017. The compromise produced on the file also bears the signature of Dr. Bhupinder Singh. Meaning thereby, Dr. Bhupinder Singh in connivance with other co-accused cheated and all the accused in connivance with each other received about Rs. 17.85 lakhs. Since the present matter is a matter of Kabutarbaji and cheating the complainant under the pretext of sending their children abroad and the role alongwith nexus of accused Dr. Bhupinder Singh is yet to be established. Therefore, the custodial interrogation of the accused is required in this case. Moreover, on every day there are reports of the innocent citizens being cheated by the so called travel agents who make false promise specially to the educated unemployed youths and on the pretext of settling them abroad, a huge money is being taken by such like persons. So, this court is of the view that no ground is made out to grant the concession of anticipatory bail to the applicant-accused. As such the bail application stands dismissed. Police record be returned and file of bail application be consigned to record room.

Announced in open Court:
Dated: 26.07.2021.

kulvinder Singh JW
(Direct dictation)

(Dr. Gopal Arora),
Additional Sessions Judge,
Hoshiarpur (UID No.PB-0194).

Dr. Bhupinder Singh Vs State

Present: Sh. Sarabjit Singh advocate, for applicant-accused.
Sh. Gurpreet Singh, Addl. PP for the State.

Heard. Vide my separate detailed order of even date, the bail application filed by applicant/accused has been dismissed, as stated therein. Police record be returned and file of bail application be consigned to record room.

Announced in open Court:
Dated: 26.07.2021.

kulvinder Singh JW

(Dr. Gopal Arora),
Additional Sessions Judge,
Hoshiarpur (UID No.PB-0194).