

**In the court of Ms.Sanjeeta,
Additional Sessions Judge,
Bathinda (UID:PB-0177).**

CRN PBBT01004750-2021.
CIS No.BA 1710-2021.
Date of order:16.07.2021.

Amarjit Singh, aged about 36 years son of Ranjit Singh, resident of village Badesha, Tehsil and District Malerkotla.

..... Applicant/ accused.

versus

State of Punjab

FIR No.58 of 17.04.2021.
u/ s 420 IPC,
PS Kotwali, Bathinda.

Bail application u/ s 438 Cr.P.C.

Present: Sh.Kuljit Pal Sharma,Adv.counsel for applicant/ accused.
Complainant with Sh.Inderpal Singh, Addl.PP for the State.

ORDER

1) This order of mine shall dispose of first anticipatory bail application filed by applicant in the above mentioned FIR.

2) Ld. Counsel for the applicant has submitted that the regular bail application of co- accused Sharanjit Singh has though been dismissed by the Court of Sh.B.S.Sran, Add. Sessions Judge, but now compromise has been effected between the parties. Sharanjit Singh and applicant have paid Rs,2 lac to the complainant and remaining amount has been agreed to be paid in installments. He has prayed for the acceptance of the bail application.

3) On the other hand, ld.Addl.P.P. for the State has opposed the bail application alleging that applicant and the co- accused Sharanjit Singh had duped complainant of a sum of Rs.15,50,000/- under the pretext of sending him and his wife abroad. Complainant has also submitted that he has not received the entire payment though on the last date, applicant sought

to make the payment. They have prayed for the dismissal of the bail application.

4) I have considered the submissions made by learned counsel for the applicant as well as learned Addl.PP for the State.

5) Perusal of file reveals that the instant FIR was registered on the complaint filed by complainant Mandeep Singh alleging that having desired to settle abroad, his father-in-law had a talk with Sharanjit Singh, agent, who assured to get work permit visa for Australia for complainant and his wife, for which he made a demand of Rs.20 lacs and he told that he would take the money only on receipt of visa. Copies of the on-line visa for Australia was sent to him on Whatsapp, pursuant to which, he transferred amount of Rs.4,00,000/- on 9.9.2019, Rs.3,00,000/- on 16.9.2019, Rs.4,00,000/- on 30.9.2019 and Rs.1,00,000/- on 19.10.2019 in the account of his father-in-law Ashok Singh, who further adding amount of Rs.3,00,000/- paid total amount of Rs.15,00,000/- to Sharanjit Singh, in the presence of Amrik Singh. After inquiry, the visa was found to be forged.

6) On inquiry of the complaint, the allegations were found made out and it was further observed that a sum of Rs.50,000/- was also paid to Sharanjit Singh for the tourist visa, which was transferred in his account.

7) After the registration of the FIR, on questioning of accused Sharanjit Singh, accused Amarjit Singh was nominated. Sharanjit Singh, on being questioned, disclosed that he had handed over the documents and the passports along with Rs.3,00,000/- to Amarjit Singh for getting the visa and the payment made to him by Ashok Singh was further given to Amarjit Singh. Amarjit Singh was nominated as an accused through DDR No.37 dated 25.6.2021.

8) Applicant Amarjit Singh now claims that matter has been compromised with complainant for a sum of Rs.9,00,000/-, out of which Sharanjit Singh is to pay Rs.3,50,000/- and Amarjit Singh is to pay Rs.5,50,000/-. As per the compromise attached with the bail application, a sum of Rs.1,00,000/- has been paid through cheque no.008855, IDBI Bank, Malerkotla and the remaining amount of Rs.4.5 lacs had been agreed to be paid in six installments of Rs.75,000/- each to be paid w.e.f. 10.8.2021.

9) Applicant had on the last sought to make the payment of the disputed amount to the complainant as per the compromise in totality but the complainant, who is present in the court has come up with the plea that no such payment had been made to him.

10) So, from the version of the accused, on whose statement, the present applicant was nominated as well as from the version of the applicant through the bail application, the allegations made out are that applicant along with co-accused Sharanjit Singh had duped complainant of a sum of Rs.15,50,000/- under the pretext of getting him and his wife work permit visa for Australia. There is growing tendency of duping the innocent people and making them loose their hard earned money. So, keeping in view the allegations made against the applicant, who had conspired with Sharanjit Singh and got a fake visa issued, I find no sufficient reason to grant applicant the concession of anticipatory bail. So, the bail application of the applicant stands declined. File be consigned to the record room.

**Pronounced:
Dt.16.07.2021.**

**(Sanjeeta),
Addl. Sessions Judge,
Bathinda(UID:PB0177).**

CRN PBBT01004750-2021.
CIS No.BA 1710-2021.

Amarjit Singh vs. State

Present: Sh.Kuljit Pal Sharma,Adv.counsel for applicant/ accused.
Complainant with Sh.Inderpal Singh, Addl.PP for the State.

Arguments heard. Vide separate detailed order of even date,
the bail application stands declined. File be consigned to the record
room.

Pronounced:
Dt.16.07.2021.

(Sanjeeta),
Addl. Sessions Judge,
Bathinda(UID:PB0177).

Kulwinder Singh,
Stenographer-II