

**In the Court of Jaspinder Singh(UID No.PB0148),
Additional Sessions Judge, Amritsar.**

CNR No: PBAS010095702019.
Registration No: BA/434/2019.
Instituted on: 13.3.2019.
Date of order: 16.3.2019.

State Versus 1. Satnam Singh, aged 45 years s/o Ajit Singh r/o village
Borshi Brahmna, Borhsi Rajputan, Tehsil and District
Amritsar.

2. Harkirat Singh, age 43 years r/o H.No.801/13, Gali
Dasondha Singh, Mahna Singh Road, Amritsar.

.....Accused/applicants.

FIR No: 47 dated 10.4.2018.
U/s.420,120-B of IPC.
Police Station: Jandiala, Amritsar.

Ist bail application under section 438 of Cr.P.C.

Present:- Sh.Surinder Kumar Saini,Advocate, for the applicant-accused.
Mrs.Anju Sharma,Addl.P.P for the State.

ORDER:

1. This order of mine shall dispose of Ist bail application filed by
applicant for grant of anticipatory bail.

2. The applicant/accused has filed the present bail application on
the averments that a false case has been registered against the applicants and
police of PS Jandiala is continuously raiding the house of applicants. The bail
application of co-accused Davinder Kaur has been dismissed by this Court
and she filed bail before the Hon'ble High Court, which has been allowed. The

applicants have not committed any offence and they have been falsely implicated in this case. As per the story of the prosecution, there is no evidence against applicants to connect the applicants with the commission of crime and petitioners have not received any money from the complainant and there is no documentary evidence against applicants. The case against applicants is false. The applicants are ready to join the investigation. The applicant is innocent. Hence this bail application.

3. Upon notice issued to State, Addl.PP for the State has appeared. Police record has been produced by HC Rajinder Singh.

4. I have heard ld.counsel for the applicants and Addl.PP for the State and gone through the file very carefully.

5. Perusal of the file shows that in the FIR, allegations are that applicant Satnam Singh alongwith his wife non-applicant Davinder Kaur, applicant Harkirat Singh friend of applicant Satnam Singh, Jagdev Singh and Ranjit Kaur are running a company in the name of Winning as India Limited Project L.L.P having registered office in SCO No.56, Guru Bazar Market, G.T.Road Rayya, Distt. Amritsar. As per the complainant Sawinder Singh, they have made him to invest Rs.2,74,000/- in the company under the allurement that money will be doubled and he will also pay the monthly interest and in this regard receipt has been issued on 3.11.2015 in the name of wife of complainant namely Manpreet Kaur. This investment was for 25 months. The certificate issued in the name of Manpreet Kaur was for a sum of

Rs.1,95,000/- and one certificate is issued in the name of Swinder Singh for investment of Rs.15,000/- but accused are neither returning the money nor paying the interest. A fresh complaint has been received by Senior Superintendent of Police, Amritsar Rural against them from Gurjant Singh, to whom also certificate has been issued of receiving Rs.4,50,000/- and Rs.18,000/- per month was to be paid for 25 months. The counsel for the accused-applicants has submitted that in this case co-accused has already been granted bail by the Hon'ble High Court. The case of the applicants is also on the same footing, so they are entitled to anticipatory bail at par with co-accused Davinder Kaur. But I do not agree with this contention of counsel for the accused. In this case, there is specific allegation against accused levelled by complainant Swinder Singh against Satnam Singh and Harkiratsingh that these are the persons who came to him and allured him to invest in their Company Winning India Limited Project and they received money and issued the acknowledgment and intimation letter in the name of Manpreet Kaur wife of complainant for a sum of Rs.1,95,000/- with monthly earning of Rs.7800/-, which was registered at the folio no.3510 and tenure of the agreement was 25 months. Another acknowledgment letter of Rs15,000/- has been issued, having the monthly earning of Rs.600/- and separate receipts no.4358 and 4359 were issued with regard to receipt of money from the applicant and this money has not been misappropriated. The applicants have misused the innocence of retired army official by alluring him to get much higher return of

his money, by investing in their company. Issuing of these receipts clearly shows that money was deposited. Even apart from these receipts, cheque of Rs.1,95,000/- dated 3.12.2017 in the name of Manpreet Kaur was also given to the accused which was not encashed. The act of applicants giving of these documents shows that they have dishonest intention from the very beginning. It has been brought to the notice of this Court that similar complaint against the accused has also been received filed by one Gurjit Singh son of Sukha Singh who has been cheated for a sum of Rs.4,50,000/-.The complainant of that complaint is also an ex service man. So applicants are involved in the act of cheating the ex-servicemen by taking benefit of their innocence, what is happening in the civil society. Thus I am of the opinion that applicants are not entitled to concession of anticipatory bail. Hence, bail application of applicants is dismissed. Police file be returned forthwith. Bail application file be consigned to record room.

Pronounced in open Court.
16.03.2019.

Sanjeev Kumar, Stenographer Gr.II.

(Jaspinder Singh),
Additional Sessions Judge,
Amritsar.
UID No. PB0148.