

Mandeep Singh Vs State Of Uttarakhand

Court: Uttarakhand High Court

Date of Decision: Sept. 9, 2022

Acts Referred: Indian Penal Code, 1860 " Section 420, 467, 468, 471, 506

Hon'ble Judges: Ravindra Maithani, J

Bench: Single Bench

Advocate: S.R.S. Gill, V.K. Gemini, Mani Kumar

Judgement

Ravindra Maithani, J

1. Applicant-Mandeep Singh is in judicial custody in FIR No. 328 of 2011, under Sections 420, 467, 468, 471 & 506 of IPC, Police Station Transit

Camp, District Udham Singh Nagar. He has sought his release on bail.

2. Heard learned counsel for the parties and perused the record.

3. According to the FIR, the applicant had assured Siddharth Arora and Prajeet Singh to facilitate them to settle in Canada. The fee was fixed at Rs.

10 lakhs each. The FIR records that some money was given by Siddharth Arora and Rs. 20,92,000/- was transmitted in the account of the applicant

by the informant. The FIR records other details also as to how the money was transmitted.

4. Learned counsel for the applicant would submit that applicant is unwell. He is suffering with heart disease. The report has been sought from the

District Jail, which reveals that the applicant was once admitted in the hospital. He is discharged, but, still on medication.

5. It is also argued that, in fact, the informant has no role in the case. Applicant, informant and some other persons were partners in a consultancy

business. A complaint was filed in Punjab by the applicant, the informant and one more person against a Saurabh, in which all three claimed

themselves to be the partners. One of such documents has been filed as Annexure-3 to the supplementary affidavit of the applicant. Objection on it

has not been filed.

6. Learned counsel for the informant and the State would submit that they have yet not filed objection on it. Even, learned counsel for the informant is

not in a position to give a statement about the factum of filing a complaint by the informant, the applicant and some other person against the Saurabh.

7. If the applicant agreed to facilitate movement of Sidharth Arora and Prajeet Singh to Canada, at the rate of Rs. 10 lakh each, and, according to the

FIR, Rs. 5 lakh had already been given by Siddharth Arora, what was the need for the informant to pay the money to the tune of Rs. 20,92,000/- to

the applicant?

8. Since the informant as well as the State intends to file objection to the supplementary affidavit. They may do so in the next three weeks.

9. List this matter on 10.10.2022.

10. Having considered the submissions, as an interim measure, till the next date of listing, the applicant shall be released on interim bail, subject to his

executing a personal bond of Rs. 10,000/-.