

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM No.M-26974 of 2015

Date of Decision: October 08, 2015

Kundan Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Yogesh Goel, Advocate
for the petitioner.

Mr.Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

Mr.P.K.Longia, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.99 dated 09.07.2015
under Sections 420 and 506 IPC, registered at Police Station
Jamalpur, District Ludhiana.

Notice of motion was issued and learned State counsel as
well as learned counsel for the complainant appeared and contested
the petition.

I have heard learned counsel for the parties as well as
learned State counsel and have gone through the record.

As per prosecution version, Parminder Singh levelled

allegations against present petitioner that he allured him to settle him in Canada and took ₹7.5 lacs on 25.10.2014 and ₹5 lacs more later on. It is further alleged that the petitioner issued cheque bearing No.075133 dated 12.12.2014 for ₹5 lacs, which on presentation, was dishonoured. It is also the allegation that VISA, which was got obtained by the petitioner, was found forged.

Learned counsel for the petitioner argued that there was a dispute with one Rajesh Mehra, journalist, who got registered FIR No.56 dated 14.05.2014 against present petitioner along with his wife and son. Five cheques were given to Rajesh Mehra regarding which there is mention in the order of learned Addl. Sessions Judge, Ludhiana in other proceedings. He further argued that present petitioner also filed a complaint to the Commissioner of Police regarding his false implication at the behest of Rajesh Mehra, Press Reporter and in that complaint, which was dated 27.03.2015, it was mentioned that said Rajesh Mehra, after using his influence, has lodged a false complaint through his friend Parminder Singh by misusing the cheques given to Rajesh Mehra. At the time of arguments, it is also argued that so far, it has not been got verified as to whether the VISA is forged one or has been issued by the Embassy.

Keeping in view the facts and circumstances of the present case, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find it a fit case where petitioner is entitled to benefit of anticipatory bail. It is ordered

that, in the event of arrest, the petitioner be released on anticipatory bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

October 08, 2015
Vgulati

(INDERJIT SINGH)
JUDGE