

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**C.R.M-M No.28577-2015
Date of decision : 09.10.2015**

Varun Sharma

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. B.D.Sharma Advocate
for the petitioner.

Ms.Amarjit Kaur Khurana, Addl. AG, Punjab.

1. Whether Reporters of local papers may be allowed to see the judgment?
2. To be referred to the Reporters or not?
3. Whether the judgment should be reported in the Digest?

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case F.I.R. No.136 dated 16.07.2015 registered under Sections 420, 120-B IPC at Police Station Navi Baradari, Jalandhar.

On 26.08.2015 the following order was passed :-

“Counsel for the petitioner has argued that all the allegations are against Roshan Lal and the petitioner has been roped in only because he is a witness.

Notice of motion.

On the asking of the Court, Mr. Ashish Sanghi, DAG Punjab accepts notice. Counsel for the petitioner undertakes to

hand him over a copy of the petition during the course of the day.

Adjourned to 9.10.2015. Meanwhile, arrest of the petitioner shall remain stayed.”

Learned counsel for the petitioner has argued that the main accused Roshan Lal Sharma was arrested and has been released on regular bail.

Learned Additional Advocate General, on instructions from H.C. Chand Singh accepts the fact and states that the petitioner is the son of Roshan Lal Sharma and both of them have conspired to cheat the complainant.

Be that as it may, once as per the FIR money has been received by Roshan Lal Sharma, who has been arrested and has been released on bail, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner.

Resultantly, the petition is allowed.

In the event of arrest of the petitioner, he shall be released on bail to the satisfaction of the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

October 9, 2015

Pooja sharma-I