

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

CRM-M-36855 of 2015

Date of decision : 22.12.2015

Amrik Singh

...Petitioner (s)

Versus

State of Punjab

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. K. B. Raheja, Advocate for the petitioner (s).

Ms. Harsimrat Rai, DAG, Punjab
assisted by SI Baljit Singh.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in a case FIR No.94, dated 28.08.2015, registered under Sections 420, 406, 120-B of the Indian Penal Code (for short 'the IPC') at Police Station Khuian Sarwar, District Fazilka.

The learned counsel for the petitioner contends that in pursuance of the orders dated 30.10.2015 and 20.11.2015, the petitioner has joined the investigation. The petitioner is a mason and small time contractor and had purchased the alleged bricks against the valid receipts (Annexure P-2).

The learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation but the investigation has not been completed so far. She further contends that the petitioner did not disburse the amount of Rs. 15,00,000/- entrusted to him by the complainant, among the labourers and has removed bricks amounting to Rs.90,000 from the brick kiln of the complainant.

Heard.

The petitioner is a mason. The entrustment of the amount and the removal of the bricks allegedly by the petitioner, could be determined only on completion of the trial. The petitioner has placed on record the receipt (Annexure P-2) vide which bricks amounting Rs.90,000/- were purchased by him.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide orders dated 30.10.2015/20.11.2015, are made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

22.12.2015

ashok

(JITENDRA CHAUHAN)
JUDGE