

CRM-M-42845-2014

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

CRM-M-42845-2014

Date of decision: 14.09.2015

Amarjit Singh Randhawa

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. M.K. Dogra, Advocate,
for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

Mr. Sachin Sharma, Advocate,
for the complainant.

SABINA, J

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.397 dated 15.10.2014, under Section 420-B of Indian Penal Code, 1860, registered at Police Station 'A' Division, Amritsar City.

While issuing notice of motion, following order was passed by this Court on 24.12.2014:-

“ Petitioner is alleged to have induced the complainant Kanwaljeet Singh to pay a sum of Rs.5,26,627/- for arranging VISA for him but the complainant had been duped. A sum of Rs.2,15,000/- has been returned but a cheque of Rs.3 lacs has been dishonoured. The petitioner claims

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that three different inquiries have been conducted and the petitioner was found innocent.

Notice of motion to the Advocate General, Punjab, for 16.2.2015.

Mr.Sachin Sharma, Advocate, has intervened at this stage, on behalf of the complainant to oppose the application for pre-arrest bail contending that the petitioner has admitted his liability and promised to repay the amount. A similar petition in this context is stated to be pending for 16.2.2015.

Meanwhile, an interim direction is issued that the petitioner will join investigation on 3.1.2015. In case of petitioner doing so, he shall be released on interim bail to the satisfaction of the arresting officer.”

Learned State counsel who is assisted by Assistant Sub Inspector Rajinder Singh as well as counsel for the complainant has submitted that although the petitioner has joined investigation but recovery of the passport, PAN card, Ration Card and the amount of ₹2,86,627/- was yet to be effected from the petitioner.

Learned counsel for the petitioner, on the other hand has submitted that in the inquiries conducted during investigation, it had transpired that the complainant had lodged a DDR with the police to the effect that he had lost his passport before lodging of the FIR. Learned counsel has further submitted that although the complainant had alleged that the cheques issued by the petitioners were dishonoured

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but no criminal proceedings were initiated against the petitioner qua dishonour of the cheques in question.

Since, in the present case, petitioner has already joined investigation and was admittedly found innocent in three different inquiries conducted during investigation, it would be just and expedient to confirm the interim bail granted to the petitioner.

Accordingly, interim bail granted to the petitioner by this Court vide order dated 24.12.2014, is made absolute.

Petition stands disposed of accordingly.

September 14, 2015
kapil

(SABINA)
JUDGE