

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

CRM-M -17134 of 2016 (O&M)

Date of decision: 02.08.2016

Jagdish Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. S.S. Gill, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Anoop 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 case FIR No.242, dated 16.10.2015, registered under Sections 406, 420, 465, 467, 468, 471, 474, 120-B IPC and Sections 4 & 5 of Chit Fund Money Laundering Act, 2012 (Sections 4,5 and 6 of Prize Chits and Money Circulation Scheme (Banning)Act,1978 added at the time of filing of challan and deleted Section 4 and 5 of Provision of Chit Fund Money Laundering Act,2012), at Police Station Zirakpur, District SAS Nagar, Mohali.

On 18.05.2016, this Court had passed the following order:-

“Prayer is under Section 438 Cr.PC for grant of anticipatory bail to accused petitioner Jagdish Singh in case FIR No.242 dated 16.10.2015 under Sections 420, 406, 465, 467,468,471,474,120-B IPC and under Sections 4 and 5 of Provision of Chit Fund Money Laundering Act,2012, PS Zirakpur (Sections 4,5 and 6 of Prize Chits and Money Circulation Scheme (Banning)Act,1978 added at the time of filing of challan and deleted Section 4 and 5 of Provision of Chit Fund Money Laundering Act,2012.

It is averred that the petitioner-accused Jagdish Singh has nothing to do with the functioning of the RG Land Developers and Promoters Pvt.Ltd.(for short private company). The directors of the said private company are Rupinder Singh Gill and one Gurmeet Singh.

The allegations against the petitioner are of having received a sum of Rs.9 lacs in cash from Harinder Singh Mangat, his brother Sandeep Singh and mother Hardev Kaur.

It is contended that entire amount was meant for the private company and the petitioner is neither shareholder, nor a director nor an employee of the said company. He has been nominated as an accused merely because he happens to be brother of main accused-Rupinder Singh Gill.

Notice of motion for 2.8.2016.

In the event of arrest, the petitioner shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer. Petitioner shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C.”

It is contended that in pursuance of the order dated 18.05.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that

the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 18.05.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

02.08.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No