

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

CRM No.M-19846 of 2016 (O&M)

Date of Decision: October 21, 2016

Rajinder Kumar

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.T.S.Hundal, Advocate
for the petitioner.

Ms.Shivali, Asstt. Advocate General, Punjab
for the respondent-State.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.43 dated 03.03.2016 under Sections 406 and 420 IPC, registered at Police Station Navi Baradari, Jalandhar.

Notice of motion was issued and learned State counsel appeared and contested the petition.

Learned counsel for the petitioner argued that allegations are completely unfounded. He argued that as per the statement of account, no amount is due payable to the Bank. Only two transactions are reflected and the FIR has been registered on the account of previous enmity.

On the other hand, learned State counsel admitted that receipt

has been taken into possession during the investigation showing the compromise in the year 2015 and as per statement of account, no amount, payable to the bank, is found.

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

From the perusal of the record, I find that the transactions from the year 2008 to 2015 are only to the extent of about ₹31,000/- and as per the compromise, which shown to this Court in the police file, that money has been adjusted.

The petitioner has joined the investigation. He is not required for investigation or interrogation purposes. The FIR in this case has been registered after one year of the alleged compromise. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where petitioner is entitled to benefit of grant of anticipatory bail. Therefore, the present petition is accepted and the order dated 15.06.2016 granting interim bail to the petitioner is made absolute.

October 21, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No