

CRM-M-25457-2016

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

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Date of Decision: 20.09.2016

Harbhajan Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Vijay Rana, Advocate,
for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab.

Mr. Rajeshwar Singh Thakur, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.130 dated 26.05.2016, registered at Police Station Civil Lines, Batala, Tehsil Batala, District Gurdaspur, under Sections 420 and 120-B of the Indian Penal Code and Section 66 of the Information Technology (Amended) Act, 2008.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and the complainant also appeared through her counsel. They contested this petition.

I have heard learned counsel for the petitioner; learned State

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counsel as well as learned counsel for the complainant and have gone through the record.

From the record, I find that as per FIR, main allegations are against son of the present petitioner, namely, Sukhpreet Singh, who induced complainant-Komalpreet Kaur and an amount of ₹5 lacs was deposited by the complainant in the account of co-accused, Sukhpreet Singh.

In pursuance of the order dated 28.07.2016 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing has been recovered from the present petitioner.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case and no useful purpose will be served by sending the petitioner to custody, I find merit in this petition and the same is allowed. The order dated 28.07.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

20.09.2016

parveen kumar

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether reportable	:	No