

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

CRM-M No. 27663 of 2016
Date of decision : August 23, 2016

Rahul Sharma,

..... Petitioner

v.

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Raman Mohinder Sharma, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Ajay Tewari, J (Oral)

The petitioner seeks grant of anticipatory bail in case FIR No.121, dated 23.12.2015, registered under Section 420 of the IPC, at Police Station Sadar Sangrur.

Allegation in the FIR was that the petitioner and Hardam Singh obtained ₹ 8.50 lacs from the complainant to settle his son in Thailand. It is further alleged that ₹ 8 lacs were deposited by cheque in

the account of Hardam Singh, while ₹ 50,000/- were paid in cash to the

petitioner.

Counsel for the petitioner has argued that a perusal of the passport of the petitioner would show that the petitioner was not in India at the relevant time. As per him, the main accused Hardam Singh to whom ₹8 lacs were paid has been granted the concession of anticipatory bail by this Court by order dated 23.5.2016 (Annexure P-6).

Learned Addl. AG Punjab, on instructions from HC Ranjodh Singh, has accepted the factual assertions that the passport record of the petitioner does not indicate that he was in India at the relevant time and that Hardam Singh has been granted anticipatory bail by this Court, vide order (Annexure P-6).

In these circumstances, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner. Resultantly, this petition is allowed and it is directed that in the event of his arrest, the petitioner shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to the compliance of the provisions as contained in Section 438(2) of the Cr.P.C.

August 23, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No