

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-27966 of 2016

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Date of decision:23.8.2016

Hemant Kumar alias Happy

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. Sandeep Arora, Advocate for the petitioner.

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

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Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in case FIR No.42 dated 26.2.2016 registered for the offences under Sections 406, 420 and 120-B IPC and Section 24(1)B, C, E, F and G of Immigration Act at Police Station Rama Mandi, District Jalandhar.

Notice of motion has been issued in this case.

Ms. Shivali, learned Assistant Advocate General, Punjab has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as

learned Assistant Advocate General, Punjab appearing for the respondent-State and have gone through the record.

From the record, I find that FIR has been got registered by Shivcharan Singh-complainant against the present petitioner and other co-accused on the allegations that he was cheated for ₹3,55,000/- and neither his son was sent to abroad nor the money was returned. Now the petitioner has brought to my notice document (Annexure-P.2) i.e. statement given by the present complainant in the inquiry conducted by ASI Raghubir Singh, wherein he has stated that he does not want to proceed with the application and same be filed. This statement is of 14.10.2015 whereas the complainant was saying that he had paid the money to the present petitioner as well as other co-accused in the months of February and May 2015. This statement shows that the matter was settled when this statement was given by the complainant and he was having no grudge against the present petitioner.

Keeping in view the facts and circumstances of the present case, I accept this criminal miscellaneous petition and in the event of arrest, the petitioner shall be admitted to bail on his furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. 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.

August 23, 2016.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No