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

**CRM Nos.28487-88 of 2016 in/and
CRM No.M-31075 of 2016 (O&M)
Date of Decision: September 14, 2016**

Harinder Singh and others

...Petitioners

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Akshay Bhan, Senior Advocate with
Mr.Amandeep Singh Talwar, Advocate
for the petitioners.

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

Mr.J.S.Bedi, Senior Advocate with
Mr.Harpreet Multani, Advocate
for the complainant.

INDERJIT SINGH, J.

CRM No.28487 of 2016

The application is allowed. Rajinder Singh complainant is impleaded as respondent No.2. The Registry is directed to amend the Memo of Parties.

CRM No.28488 of 2016

The application is allowed subject to all just exceptions. Reply on behalf of respondent No.2 is taken on record.

CRM No.M-31075 of 2016

for grant of anticipatory bail in case FIR No.106 dated 16.08.2016 under Sections 420 and 120-B IPC registered at Police Station Haibowal, Ludhiana.

Notice of motion was issued and learned State counsel as well as learned counsel for the complainant-respondent No.2 appeared and contested the petition.

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

From the record, I find that the FIR in the present case has been got registered by complainant Rajinder Singh mainly alleging that accused Harminder Singh is married with real sister of the complainant i.e. Jaswinder Kaur and Navjot Singh and Amarjot Singh are the real nephew of the complainant. It is argued that accused side admitted that an Academy in the name of Shri Guru Granth Sahib was to be started and 4-5 acres of land is to be transferred in the name of the Academy by the accused persons. The accused persons started the Academy in the name of Amrit Indo Canadian Academy.

It is also the allegation that crores of rupees have been collected by the complainant from Sikh Sangat from the foreign countries and even he has contributed to the academy. At the time of arguments, it is argued that the Academy now has properties worth ₹75 crores and have about 33 buses for transportation of the students, value of which is about ₹6-7 crores. It is also pointed out at the time of arguments that the Academy in question is a registered society, the account of which is duly audited. It is further argued by learned counsel for the petitioners that even the children of present

year 2004. Learned counsel for the petitioners even shown the list of Executive Members of the Academy in which the wife of present complainant is also one of the Executive Member.

The mere fact that accused have not named the Academy as Shri Guru Granth Sahib, does not amount to cheating.

The petitioners have already joined the investigation. They are not required for investigation or interrogation purposes.

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 that no useful purpose will be served by sending the petitioners to custody. The trial of the case of case will take long time.

Therefore, finding merit in the present petition, the same is allowed. The order dated 05.09.2014 granting interim bail to the petitioners is made absolute.

September 14, 2016
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No