

CRM-M-33903-2016

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

CRM-M-33903-2016

Date of Decision: 07.11.2016

Yaman Sharma

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Barun Jaswal, Advocate,
for the petitioner.

Ms. Shivali, AAG, Punjab.

Mr. Rahul Bhargav, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner, Yaman Sharma, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.94 dated 02.08.2016, registered at Police Station Mataur, Mohali, under Sections 406, 420, 465, 468 and 471 of the Indian Penal Code.

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

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

CRM-M-33903-2016

From the record, I find that as per the allegation against the present petitioner in the FIR, he had taken Rs.1,93,000/- from the complainant for getting VISA of USA for 10 years, VISA of Dubai, hotel booking and tickets.

Learned counsel for the petitioner argued that during the investigation, the tickets which were confirmed for 14.06.2016, were not found to be false and hotel bookings etc. were also correct. He also argued that process of refund of money for tickets is going on.

In pursuance of the interim order dated 22.10.2016 passed by this Court, the petitioner has already joined the investigation. He is now not required for custodial interrogation. Nothing is to be recovered from him.

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 22.10.2016, 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.

07.11.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

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