

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

(201)

CRM-M-3780-2016

Decided on: September 16, 2016.

Parwinder Kumar

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

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

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

The petitioner has filed the present petition for grant of pre-arrest bail in FIR No.185 dated 31.10.2015, under Sections 406, 420, 120-B IPC registered at Police Station Goraya, District Jalandhar. The said FIR was registered on the basis of complaint of Parhlad alleging that the petitioner along with Hardeep Kaur had taken a sum of Rs.14 lacs with a false promise to send his grandson Tejinder Singh abroad.

Learned counsel for the petitioner submits that grandson of the petitioner Tejinder singh has already gone abroad and that three cheques issued to the complainant of Rs.2.5 lacs, Rs.4.50 lacs and Rs.2 lacs on various dates in August, 2014, were on account of business transactions as the petitioner along with the grandson of the complainant had been indulging in property business.

On the instructions of ASI Sardool Singh, learned State counsel on the basis of police record, informs that statements of the complainant, his father and Surjit Singh, have been recorded indicating the payment of money for sending Tejinder Singh abroad.

It has been informed that the petitioner has joined the investigation.

Learned counsel for the petitioner has drawn attention to the Bank entry indicating deposit of Rs.2.5 lacs in the account of Tejinder Singh on 13.05.2014.

On the basis of above said circumstances, it appears that it would certainly be a debatable issue during course of trial whether any amount was paid to the petitioner for sending the grandson of the complainant abroad or the money transactions referred to above, are on account of the business transactions of the petitioner.

Petitioner having joined the investigation, it does not appear to be a case of custodial interrogation.

The petition is allowed. It is ordered that in case of arrest of petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the conditions that he will not tamper with the evidence or hamper the investigation in any manner and will not indulge in similar activity of which he is accused of, during the entire period of trial.

(M.M.S. BEDI)
JUDGE

September 16, 2016
harsha

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No