

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

222

CRM-M-41372-2015

Date of Decision: January 21, 2016

SUKHWINDER SINGH @ SONU

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

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

Present: Mr.Davinder Bir Singh, Advocate for the petitioner

Ms.Simsi Dhir Malhotra, DAG, Punjab

Mr.P.S.Kanwar, Advocate for complainant

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

The petitioner seeks concession of pre-arrest bail in a case registered at the instance of Sarabjit Singh alleging that the petitioner along with Sukhraj Singh and his wife had duped the complainant with a false promise that son of the complainant would be regularised in Australia who is already staying in Australia through Sukhraj Singh. However after receiving the money neither the son of the complainant permanently settled in Australia nor money was returned back.

Counsel for the petitioner relied on some entries in a diary indicating that the petitioner had received a sum of of Rs.5,69,000/- from the complainant during the period from 1.10.2012 to 15.5.2013. Counsel for the petitioner has submitted that large chunk of amount i.e. Rs.4,00,000/- received from the complainant had been sent to Australia.

Counsel for the complainant, on the instructions of complainant, has alleged that at this stage, a sum of Rs.1,90,000/- is due to be paid to the complainant.

I have considered the facts and circumstances of the case and I am of the opinion that there is a controversy regarding money transactions

between the parties.

On asking of the Court, counsel for the petitioner has offered to pay a sum of Rs.1,00,000/- to the complainant in the Court. A sum of Rs.1,00,000/- has been paid to the complainant in the Court.

In view of the above, the petition is allowed. It is ordered that in case of arrest of the petitioner, he will be released on bail to the satisfaction of the arresting officer subject to the conditions that the petitioner will join investigation as and when required and will not tamper with the evidence or hamper investigation in any manner. The petitioner will pay a sum of Rs.1,00,000/- which has been paid in the Court today.

It is made clear that nothing said in this order will prejudice the right of the complainant, especially his right to some additional amount. The amount paid will not effect the investigation or the proceedings during the trial.

January 21, 2016
TSG

(M.M.S.BEDI)
JUDGE