

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

CRM-M No.4688 of 2016 (O&M)

Date of Decision: 01.06.2016

Gurmukh Singh

..... Petitioner

Vs.

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Preetinder S. Ahluwalia, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, Deputy Advocate General, Punjab
for the respondent/State assisted by A.S.I. Fauji Ram.

Mr. Jasmail Singh Brar, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail on behalf of the petitioner-Gurmukh Singh in case FIR No.02 dated 05.01.2016, registered with Police Station Sardulgarh, Distt. Mansa for the offence under Section 420 of the Indian Penal Code (**Annexure P-1**).

As per the allegations levelled by complainant-Narinder Singh, petitioner-accused had received a sum of Rs. 5 lacs out of agreed amount of Rs.12 lacs on the pretext of sending brother-Karamjit Singh of complainant to Belgium. Since neither the money was refunded nor he was sent, the FIR was lodged.

It was contended that totally false case has been foisted upon the petitioner as a counterblast to the earlier FIR lodged by the petitioner-accused against present complainant bearing No.722 dated 24.11.2015, under Sections 406/506 IPC, P.S. City Fatehabad. It was further contended that in the earlier FIR, the present complainant was accused of having received a sum of Rs.10 lacs for inducing the present petitioner as a partner in his business. On having

refused to do so the said FIR was lodged. It was further submitted that complainant had agreed to refund a sum of Rs.3 lacs as noticed in the order dismissing his bail application (**P-4**).

Learned Counsel for the petitioner lastly contends that pursuant to the interim protection granted by this Court, vide order dated 09.02.2016, the petitioner has joined the investigation and nothing is to be recovered from him.

Learned State Counsel, assisted by ASI Fauji Ram, submits that the petitioner has joined the investigation and has deliberately not cooperated in the same. He further submits that as per the FSL report, the sample signatures furnished by the petitioner-accused are not in his free flow of the handwriting and thus there is a deliberate attempt to distort his signatures. It is thus submitted that his custodial interrogation is required.

In view of the above, keeping in view the interest of fair and proper investigation in the backdrop of the nature and gravity of the offence, no case for grant of anticipatory bail is made out.

Accordingly, the present petition stands dismissed.

June 01, 2016

Gagan

(JASWANT SINGH)
JUDGE