IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM No. M-7142 of 2016 (O&M)
Date of Decision: 30.05.2016

Ravinder Kumar --Petitioner

Versus

State of Punjab --Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. R.S. Thakur, Advocate for the petitioner.

Ms. Manpreet Dhaliwal, A.A.G., Punjab.

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TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.112 dated 10.10.2015 under sections 381, 406, 420, 120-B I.P.C, registered at Police Station, Phase-XI, S.A.S. Nagar, Mohali.

On 29.2.2016, the following order was passed by this Court:-

"During the course of arguments today, counsel appearing for the petitioner would contend that even as per complainant's version, it was main accused, Deepak Kumar who had withdrawn huge sum of money from the bank account of the complainant since the year 2008. Further allegations are with regard to Deepak Kumar running a fraudulent business from the home address of the complainant and lending money to different people and keeping blank signed cheques or property papers as surety. It is contended that there is no allegations against the present petitioner who is sought to be implicated on the ground that he is by way of relationship brother-in-law of main accused, Deepak Kumar.

List for further consideration on 22.03.2016.

To be heard alongwith CRM No.M-1065 of 2016.

In the meanwhile, petitioner is directed to appear *before the Investigating Officer and to join investigation.*

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C."

During the course of resumed hearing, this Court had directed the State counsel to complete instructions on a certain aspect i.e. whether any money had been transferred from the bank account of the complainant i.e. Lt. Commander (Retd.) Tarlochan Singh into a joint account maintained by the main accused Deepak Kumar along with the present petitioner or into any other sole account maintained by the petitioner.

Learned State counsel upon instructions from ASI Narinder Kumar would apprise the Court that there is no account which is jointly maintained by the present petitioner along with the main accused Deepak Kumar. Further submitted that no amount has been credited from the account of the complainant even into the sole account maintained by the petitioner.

This Court, however, has been apprised that between the period 2012-2014 five cheques were encashed by the present petitioner and a total amount of Rs.1,13,800/- had been withdrawn from the account of the complainant.

Be that as it may, there are no allegations as regards forgery or such cheques having not been issued by the complainant.

Main accused Deepak Kumar has already been arrested and is in custody.

Without making any observations on merits and keeping in view the fact that the petitioner has joined investigation, present petition is allowed. The order dated 29.2.2016, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

30.05.2016
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