

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

Cr. Misc. M 9297 of 2016

Date of decision: 17.5.2016

Gurpal Singh

Petitioner

vs.

State of Punjab

Respondent

Present: Mr. Vikas Gupta, Advocate.
Mr. Jashanpreet Singh, AAG, Punjab

M.M.S.BEDI, J.

The petitioner apprehends arrest in a case registered at the instance of Tarlok Singh alleging that a sum of Rs.3.30 lacs had been given to the complainant for deputing his son as Marketing Manager in his firm. The said amount has been misappropriated by the petitioner.

Counsel for the petitioner has submitted that the son of the complainant had been working in the firm of the petitioner and on account of salary of complainant's son having not been released for some period, the petitioner has been falsely implicated in the case. It appears to be an admitted fact that the son of the complainant worked with the petitioner's firm for a period of 7/8 months @ Rs.9000/- per month. The dispute appears to be of civil nature as some cheques issued by the petitioner in the name of the complainant appear to have been dishonoured. Striking a balance between the right of personal liberty of the petitioner and the authority of the investigating agency, I deem it appropriate to allow this petition.

The petition is accordingly allowed and 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 condition that the petitioner will join the investigation as and when required by the police and will not tamper with evidence or hamper the investigation. The petitioner will pay a sum of Rs.1 lac to the complainant/ his son, in the shape of a bank draft, in the name of the complainant or his son, within a period of one month without prejudice to his rights to settle the controversy regarding the amount payable to the son of the complainant. The right of the petitioner to recover the amount in accordance with law will not be prejudiced . In case of violation of any of the above said conditions, it will be open to the prosecution agency or the complainant to approach this court for cancellation of bail.

May 17 ,2016
TSM

(M.M.S.BEDI)
JUDGE