

CRM-M-14239-2017

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

CRM-M-14239-2017

Date of Decision:14.07.2017

Gurpreet Singh Chauhan

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

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

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

Mr. A.D.S.Jatana, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner-Gurpreet Singh Chauhan has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.55 dated 01.04.2017, registered at Police Station Civil Lines, Bathinda, under Section 420 IPC.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and complainant has also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

Learned counsel for the petitioner argued that main office of M/s Visa Destiny Immigration Services was at Jalandhar and Richa who

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was the partner in the said firm/company, is the relative of the complainant, who was running the office at Bathinda. The present petitioner has not induced Mamta Rani to give money nor there was any settlement in between Mamta Rani and the present petitioner. The substantial amount of ₹11.75,000/- was also stated to be paid to Vikas Sood and at that time, the present petitioner was in jail in some other case. He also argued that if it is taken that an amount of ₹3,90,000/- was deposited by the office at Bathinda to the main office of the said firm/company at Jalandhar, the same is a business transaction and nothing to do with the money of Mamta Rani. He also argued that office of the said firm at Bathinda has been opened as franchise of main office, Jalandhar.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case and in view of the facts that the petitioner has already joined the investigation and not required for custodial interrogation, I find that no useful purpose will be served by sending the petitioner to custody. Therefore, finding merit in the present petition, the same is allowed. The order dated 05.05.2017, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

14.07.2017

parveen kumar

(INDERJIT SINGH)

JUDGE :

Whether speaking/reasoned

: Yes

Whether reportable

: No