

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-22539 of 2016
Date of Decision: 20.11.2017

Satnam Singh and another

....Petitioners

VERSUS

State of Punjab

....Respondent

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sherry K. Singla, Advocate
for the petitioners.

Mr. Sandeep Kumar, DAG, Punjab

Mr. Rajnish Gupta, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to petitioners in case FIR No. 99 dated 04.06.2016 registered for offences punishable under Sections 420, 467, 468, 471 read with Section 120-B of Indian Penal Code (for short 'IPC'), at Police Station Maur, District Bathinda.

Heard.

Learned State counsel on instructions from ASI Farminder Singh submits that complaint made by Amrik Singh on 16.05.2016 to Senior Superintendent of Police, Mansa has not been received in office of Senior Superintendent of Police, Bathinda.

Learned counsel for petitioners submits that complaint was sent to the office of Senior Superintendent of Police, Mansa by registered post and has produced copy of the postal receipt. He further submits that petitioners have joined the investigation, which is still in progress and their

custodial interrogation is not required.

Learned counsel for complainant submits that plea raised by petitioners that they are also victims at the hands of Abhishek Mishra and Sanjay Singh has no basis to extend the benefit of anticipatory bail to them. There is specific allegation that payment of ₹2 lacs was made by complainant to petitioners. He has been duped by petitioners and not by Abhishek Mishra and Sanjay Singh.

On perusal of FIR, which was registered after inquiry, I find that all the allegations of payment of money are against Lachhman Singh. In inquiry, it was found that ₹49,000/- and ₹51,000/- were deposited in the account of Lachhman Singh and ₹4 lacs were paid to him in cash at his house.

Keeping in view above facts but without expressing any opinion on the merits of the case, this petition is allowed and order dated 02.09.2016 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that petitioners shall make themselves available for interrogation by the police as and when required;
- (ii) that petitioners shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against them so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that petitioners shall not leave India without the prior permission of the Court.
- (iv) that petitioners will seek regular bail on the presentation of challan in Court.

November 20, 2017
jk

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No