

CRM-M-26655-2016

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

CRM-M-26655-2016

Date of Decision: 24.01.2017

Sandeep Bhagat

... Petitioner(s)

Versus

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. A.S.Rai, Advocate
for the petitioner.

Mr. Deep Singh, AAG, Punjab.

Mr. Nimanyu Gautam, Advocate
for respondent No.2.

INDERJIT SINGH, J.

This petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.201, dated 06.11.2015, registered at Police Station Division No.5, District Jalandhar, under Sections 420 and 120-B of Indian Penal Code.

Notice of motion was issued in this case.

Mr. Deep Singh, Asstt. Advocate General, Punjab and Mr. Nimanyu Gautam, Advocate put in appearance on behalf of the respondent-State and the complainant respectively and contested this petition.

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I have heard learned counsel for the petitioner; learned State counsel as well as learned counsel for the complainant and have gone through the record.

During the pendency of this petition, learned counsel for the petitioner admitted that he purchased articles worth ₹3 lacs. Vide order dated 09.09.2016, the petitioner paid ₹1 lakh by way of two demand drafts amounting to ₹50,000/- each to learned counsel for respondent No.2.

Today, learned counsel for the petitioner has handed over a demand draft of ₹40,000/- and ₹60,000/- in cash to learned counsel for respondent No.2 to show his *bona fide*.

Moreover, in pursuance of the interim order dated 16.08.2016 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 16.08.2016, 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.

24.01.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No