

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

**CRM NO. M-26122 OF 2017
DECIDED ON : 26.09.2017**

Amit Kumar

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. Ishan Gupta, Advocate,
for the petitioner.

Ms. Seena Mand, DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.117 dated 07.07.2017 under Sections 420/406 IPC registered at Police Station City Sunam.

Learned counsel for the petitioner contends that the allegations against the petitioner in the FIR are that the petitioner did not supply the bricks to the complainant, although he has received money. He further contends that as per the allegations in the FIR, it is a sum of ₹4,00,000/- that was paid to the petitioner through his account and the remaining ₹10,00,000/- was paid to him in cash. He also contends that the petitioner has already supplied the bricks worth ₹6,00,000/- to the complainant and hence, there was no intention to deceive.

This Court by the order dated 21.07.2017, had directed the petitioner to join investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of Arresting/Investigating Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, upon instructions from ASI Jaswinder Singh, states that in pursuance to the order passed by this Court, although the petitioner has joined investigation but money is yet to be recovered from him.

In view of the submissions made by learned counsel for the petitioner, especially when it is alleged to be a business transaction between the parties, which had admittedly been partly honoured and without expressing any opinion on the merits of case, the order dated 21.07.2017, granting ad-interim bail to the petitioner, is hereby made absolute. However, the petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of accordingly.

(ANUPINDER SINGH GREWAL)
JUDGE

SEPTEMBER 26, 2017
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1. Whether speaking/reasoned : YES/NO
2. Whether reportable : YES/NO