

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

**CRM No.13241 of 2017 in/and
CRM-M-35779 of 2016
Date of Decision: April 24, 2017**

Harmeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE FATEH DEEP SINGH

Present: Mr. J.S. Jaidka, Advocate
for the petitioner.

Mr. Rupam Aggarwal, DAG, Punjab.

Mr. Sumeet S. Brar, Advocate
for the complainant.

FATEH DEEP SINGH, J.

CRM No.13241 of 2017

Learned counsel for the respondents submit that they do not want to file reply to the application and have no objection if the same is allowed.

In view thereof the application stands allowed.

Annexure P/3 to P/5 are taken on record.

CRM stands disposed off.

CRM-M-35779 of 2016

The allegations against the petitioner in this anticipatory bail application under Section 438 Cr.P.C are that on his asking the complainant Jagsir Singh had invested Rs.55 lacs with the petitioner and his

brother co-accused/non-applicant Harjit Singh for the purpose of mining business. However, the petitioner failed to get licence for the same leading to the present case.

The contentions of the learned counsel for the petitioner that it was a pure business association and neither any misrepresentation on fraudulent pretext for extortion of money is made out.

Though, learned State counsel assisted by learned counsel for the complainant have sought to oppose the grant of bail on the grounds that the petitioner is instrumental in defrauding the complainant and that the recovery of the amount needs to be effected.

The perusal of the FIR does not show any element of criminality and that dispute, if any, is of civil nature and that nothing is to be recovered by way of criminal offence and joining investigation by the petitioner would suffice the purpose impels this Court to allow the present application for grant of anticipatory. In the event of arrest of the petitioner, he be admitted to bail to the satisfaction of the arresting officer/Investigating Officer and that he will abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(FATEH DEEP SINGH)
JUDGE

April 24, 2017
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No