

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

**CRL. MISC. No.M-4198 OF 2017 (O&M)
DATE OF DECISION : 19th APRIL, 2017**

Jagjit Singh

.... Petitioner

Versus

State of Punjab

.... Respondent

CORAM : HON'BLE MR. JUSTICE A. B. CHAUDHARI

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Present : Mr. D. S. Gurna, Advocate for the petitioner.

Ms. Rajni Gupta, Addl. A.G. Punjab.

Mr. Mohd. Yousaf, Advocate for the complainant.

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A. B. CHAUDHARI, J. (ORAL)

This is a petition under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioner in case FIR No.70 dated 14.07.2016 registered under Sections 420, 406, 494 and 120-B IPC, at Police Station Sadar Ahmedgarh, District Sangrur.

Heard learned counsel for the rival parties.

Reply filed by the State is taken on record.

The petitioner was granted interim bail by this court vide order dated 09.02.2017.

It is not in dispute that the respondent-complainant does not have a single receipt to show that the payment was made to the petitioner under any document in writing, though as per the reply filed by the State as well as contention raised by the complainant, the amount was withdrawn by the complainant and paid to the petitioner. Learned counsel for the complainant submits that there was evidence in the form of audio recording.

In my opinion, in the absence of any sufficient satisfactory documentary evidence, the petitioner would be entitled to grant of anticipatory bail particularly because the transactions relate to the year 2010 and the alleged offence is being reported now after five years.

In that view of the matter interim order dated 09.02.2017 is made absolute.

Disposed of accordingly.

19TH APRIL, 2017
'raj'

(A. B. CHAUDHARI)
JUDGE

Whether speaking/reasoned:	Yes	No
Whether Reportable:	Yes	No