

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

CRM No. M-15918 of 2017 (O&M)

Date of Decision: 11.05.2018

Ramesh Chander Vij @ Ramesh Vij

... Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present:- Mr. L.M.Gulati, Advocae,
for the petitioner.

Mr. H.S.Sullar, DAG, Punjab.

Mr. Vaibhav Narang, Advocate,
for the complainant.

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of pre arrest bail to the petitioner in case FIR No.181 dated 13.04.2017 under Sections 419, 420, 465, 467, 468, 471, 120-B IPC, registered at Police Station Civil Lines, Amritsar, District Amritsar City.

The following order was passed by this Court on 12.05.2017:-

***The present petition has been filed under
Section 438 Cr.P.C for grant of anticipatory bail to the
petitioner in case FIR No.181 dated 13.4.2017
registered under sections 419, 420, 465, 467, 468, 471,
120-B I.P.C at Police Station, Civil Lines, Amritsar,
District Amritsar City.***

FIR came to be registered on the statement of Deepak Vig. Complainant asserted that he and his wife were introduced to Hawa Singh Tanwar through Ramesh Kumar Shukla @ Safar. Hawa Singh Tanwar proclaimed himself to be the Secretary of a Human Rights Organization working under the name and style of Akhil Bhartiya Human Rights Organization (A.B.H.R.O) as also Chief Editor of a publication firm 'Sun Star'. Precise allegations are that Hawa Singh Tanwar induced the complainant as also his wife to invest money in the publication firm 'Sun Star' and attractive returns were assured. A total sum of Rs.88 lacs is stated to have been made over by the complainant party and to Hawa Singh Tanwar by way of R.T.G.S entries and in the bank account of Hawa Singh Tanwar. Such amount is stated to have been misappropriated by Hawa Singh Tanwar.

In so far as the present petitioner, namely, Ramesh Chander Vij @ Ramesh Vij is concerned, he is sought to be implicated on the allegation that in the role of a stamp vendor he had issued an ante dated stamp paper and facilitated main accused Hawa Singh Tanwar in preparing a forged agreement dated 07.11.2016 as also an S.H.Form dated 15.11.2016

(share transfer form) so as to evade his liability and financial obligation towards the complainant party.

The entrustment of money is entirely to Hawa Singh Tanwar main accused and that too by recorded bank entries. The present petitioner is not stated to be the beneficiary of the investment that had been made by the complainant and his wife on the inducement of high returns.

Against the limited allegation and role assigned to the petitioner, this Court is of the prima facie view that he is entitled to ad interim protection as regards arrest subject to his joining investigation.

List on 03.08.2017.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel has apprised the Court that petitioner has since joined investigation.

The observations made by this Court in the order dated

12.05.2017 have gone unrebutted.

In view of the above and without making any observations on merits, petitioner is held entitled to the concession of anticipatory bail.

Petition is allowed.

Order dated 12.05.2017, passed by this Court is made absolute.

Disposed of.

11.05.2018

vandana

(TEJINDER SINGH DHINDSA)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No