

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

CRM-M-29754-2018 (O&M)

Date of Decision:- 10.9.2018

Gurmail Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Arora, Advocate, for the petitioner.

Ms. Simranjeet Kaur, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

The petitioner seeks grant of anticipatory bail in a case registered against him in FIR No.102, dated 3.6.2018, under Section 420 IPC, Police Station Model Town, Hoshiarpur.

The FIR was lodged at the instance of Jasvir Singh wherein it has been alleged that the petitioner allured the complainant to get placement of his son in PSPCL Patiala as a Junior Engineer (Mechanical) and had thus duped him of an amount of ₹3,20,000/-.

Learned counsel has submitted that he has falsely been implicated in the present case and that the present FIR has infact been lodged as a counter blast to the complaint filed by the petitioner against present complainant Jasvir Singh in respect of allegations pertaining to cheating wherein the complainant Jasvir Singh had earlier cheated the petitioner of an amount of ₹1,00,000/- on the pretext of sending the son of the petitioner to Dubai. Learned counsel in this context has today filed

copies of receipts filed along with his complaint dated 9.11.2017 in Court of Smt. Prabhjot Kaur, JMIC, Hoshiarpur.

On the other hand learned State counsel has submitted that there are some other identical cases as well, pending against the petitioner which show that he is a habitual offender.

Having heard the learned counsel for the petitioner and the learned State counsel and also bearing in mind the fact that the petitioner had in fact filed a complaint in the month of November, 2017 alleging that complainant Jasvir Singh had cheated him of an amount of ₹1,00,000/- and the present FIR which was filed subsequently, could be a counter blast, though, it is yet to be finally ascertained as to which of the two is truthful.

Having regard to the facts and circumstances of the case, in my opinion, it is a fit case for grant of anticipatory bail. The petition, as such, is accepted and the petitioner, in the event of arrest, be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

It is, however, clarified that none of the observations made above shall be taken to be an expression on merits of the main case.

September 10, 2018

mohan

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No