

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

CRM No.M-30954 of 2018 (O&M)

Date of Decision: October 10, 2018

Amanpreet Singh

...Petitioner

VERSUS

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.P.S.Jammu, Advocate
for the petitioner.

Ms.Monika Jalota, DAG, Punjab
for the respondent-State.

Mr.Simranjit Singh, Advocate for
Mr.Parminder Singh, Advocate
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.0041 dated 25.05.2018 under Section 420 IPC, registered at Police Station Rangar Nangal, District Gurdaspur.

Notice of motion was issued. Learned State counsel as well as learned counsel for the complainant appeared and contested the petition.

I have heard learned counsel for the parties as well as learned State counsel and have gone through the record.

From the record, I find that the allegation against the present

petitioner in the FIR is that he had taken ₹8 lakhs on the pretext of sending the complainant to America but he failed to do so and when the money was demanded back, then the accused stated to complainant that he will provide Government job to him as he has links with senior leaders of Akali Dal. There is also allegation in the FIR that accused has also used derogatory words qua complainant's caste.

Learned counsel for the petitioner argued that the petitioner has enmity with one Yadwinder Singh as he had filed a complaint against Yadwinder Singh, who is BJP's office bearer. The present false complaint has been got registered by the complainant Gurpreet Singh at the instance of Yadwinder Singh. No such transaction took place. He further argued that earlier also, one FIR was got registered by Yadwinder Singh through one Mukhtiar Singh on similar allegations, which was later on cancelled.

The petitioner has already joined the investigation. He is not required for investigation or custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the case and without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find it a fit case, where the petitioner is entitled to benefit of anticipatory bail. Therefore, the present petition is accepted and the order dated 27.07.2018 granting interim bail to the petitioner, is made absolute.

October 10, 2018
Vgulati

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No