

**CRM-M-33773-2018**

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

**CRM-M-33773-2018**

**Date of Decision:14.09.2018**

Kulwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

**CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH**

Present: Ms. Gurpal Kaur Dulat, Advocate,  
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

**INDERJIT SINGH, J. (Oral)**

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.194 dated 22.05.2018, registered at Police Station City Barnala, District Barnala, under Sections 420 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

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

From the record, I find that allegation against the present petitioner is that he introduced the complainant with one Harpreet Singh, a

**CRM-M-33773-2018**

travel agent. As per the allegations, Harpreet Singh alongwith present petitioner came to the complainant and assured him to get provided Visa within 10 days and received ₹9,60,000/- from him.

Learned counsel for the petitioner submits that Harpreet Singh has returned the money to the complainant through cheques which have been dishonoured and qua the same, the complaints have been filed by the present complainant against Harpreet Singh. Copies of orders passed in the complaints have been placed on record as Annexures P-1 and P-2.

In pursuance of the interim order dated 08.08.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. He is not the main accused. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 08.08.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

**14.09.2018**

parveen kumar

**(INDERJIT SINGH)**  
**JUDGE**

|              |                           |   |     |
|--------------|---------------------------|---|-----|
| <b>Note:</b> | Whether speaking/reasoned | : | Yes |
|              | Whether reportable        | : | No  |