

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

CRM-M-3579 of 2016

Date of Decision: 12.02.2018

Sayed Ahmed Osama

....Petitioner

vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Mr. Suvir Sidhu, Advocate and
Mr. Mahir Sood, Advocate for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

Mr. Gaurav Chopra, Advocate
for the complainant.

TEJINDER SINGH DHINDSA, J. (Oral)

This order shall dispose of the instant petition filed under Section 438 Cr.P.C., seeking concession of anticipatory bail to the petitioner in FIR No.98 dated 01.07.2013, under Sections 420, 406 & 120-B of Indian Penal Code, registered at Police Station Division No.2, District Ludhiana.

On 01.02.2016, while issuing notice of motion, the following order was passed:-

“Prayer is for grant of anticipatory bail in case FIR No.98 dated 1.7.2013 under Sections 420, 406, 120-B IPC, PS Div.No.2, Ludhiana.

It is contended that the main dispute is between M/s Laj Impex and a company based in

Saudi Arabia regarding non-supply of certain quantity of scrap despite receipt of advance payment in dollars. The petitioner alongwith his family members is one of the Directors of M/s Almas Export and Import Pvt.Ltd., based in Bombay which acted as a go-between for supply of such material although it is alleged that the company based in Saudi Arabia namely Mohammed Baraka AlZoubali Trading Est., is partly a sister concern of M/s Almas Export and Import Pvt.Ltd.

Counsel for the complainant submits that due to nonjoining of investigation by the petitioner, proceedings for declaring him a P.O., have been initiated.

This Court deems it appropriate to explore the possibility of an amicable settlement.

Notice of motion for 24.2.2016.

Petitioner is directed to appear before Investigating Officer/SHO, PS Div.No.2,Ludhiana on or before the next date of hearing.

Till the next date of hearing, in the event of arrest, the petitioner shall be released on bail on furnishing adequate bail and surety bonds to the satisfaction of the Arresting/Investigating Officer/Trial Court. Petitioner shall appear before the I.O., as and when called upon for investigation and shall also be bound by all the conditions stipulated in Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI

Sukhdev Raj, apprises the Court that the petitioner has since joined

the investigation.

It has gone un-controverted that Dr. Arshad/co-accused and who was also one of the Directors of M/s Almas Export & Imports Pvt. Ltd. and against whom, there were similar allegations, has been granted concession of pre-arrest bail. Two more co-accused who were also Directors of M/s Almas Export & Imports Pvt. Ltd., have been granted benefit of regular bail.

Present petitioner having joined investigation and without commenting on the merits of the case, prayer made in the petition is accepted.

The order dated 01.02.2016, passed by this Court is made absolute.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

12.02.2018
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Whether speaking/reasoned : ***Yes***
Whether reportable : ***No***