

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

CRM-M-41045-2018 (O&M)

Date of Decision:- 22.10.2018

Suresh Sharma and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. D.S.Gandhi, Advocate, for the petitioners.

Ms. Simranjeet Kaur, AAG, Punjab.

GURVINDER SINGH GILL, J. (Oral)

The petitioners seek grant of anticipatory bail in respect of a case registered against them vide FIR No.140 dated 8.7.2018, under Section 420 IPC, Police Station City, Rupnagar.

The allegations, in nutshell, are that the accused had obtained an amount of ₹5 lacs approximately in the year 2013 to supply Khair Wood which was never supplied.

Learned counsel for the petitioners submit that even if the allegations are taken to be correct the same would constitute a civil liability and by no stretch of imagination any criminal liability can be said to be attracted.

Notice of this petition was issued to respondent-State.

Learned State counsel has informed that the petitioners have already joined investigation.

Having regard to the facts and circumstances of the case and also that the alleged occurrence is stated to have taken place in the year 2013 when the amount was allegedly received by the accused whereas the FIR was recorded 5 years thereafter, in my opinion, it is a fit case for grant of anticipatory bail. The petition is as such accepted and interim directions issued vide order dated 18.9.2018 are made absolute subject to the condition that the petitioners shall appear before the Investigating Officer as and when directed and would fully cooperate with the investigation.

October 22, 2018
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No