

CRM-M-49663-2018

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

CRM-M-49663-2018

Date of Decision: 16.11.2018

Rajinder Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Mohit Garg, Advocate,
for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioners-Rajinder Singh and Rajinder Kaur have 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.272 dated 30.10.2018, registered at Police Station Civil Lines, District Patiala, under Sections 406, 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 petitioners as well as learned State counsel and gone through the record.

Learned counsel for the petitioners submits that there were written documents and agreement executed between the parties. The

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taken from the complainant, but that has been taken for procuring Visa, airport pick-up, arranging offer letter from the College etc. as per Annexure P-2. It is specifically mentioned in Annexure P-3 that fees for the English language bachelor educational programme of information technology is \$3000. However, the case of complainant is that this fee is also included in the amount given by him to the present petitioners.

In pursuance of the interim order dated 13.11.2018 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Nothing is to be recovered from them. Therefore, no useful purpose will be served by sending them to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details; without expressing any opinion on the merits of the case and from the perusal of documents (Annexure P-2 and P-3), I find at this stage that there is sufficient ground to grant the benefit of anticipatory bail to the petitioners. Therefore, finding merit in the present petition, the same is allowed. The order dated 13.11.2018, granting interim bail to the petitioners, is made absolute. However, the petitioners 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.

16.11.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

Note: Whether speaking/reasoned : Yes
Whether reportable : No