

CRM-M-No.49046 of 2017

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

CRM-M-No.49046 of 2017

Date of Decision:07.08.2018

Pawan Garg

.....PETITIONER

Vs.

State of Punjab

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr.Rakesh Gupta, Advocate for the petitioner.

Ms.Monika Jalota, DAG, Punjab.

Mr.S.S.Swaitch, Advocate for the complainant.

INDERJIT SINGH J.(Oral)

At the outset, it is necessary to mention that order of this Court dated 04.04.2018 has been complied with by the petitioner. ₹2,000/- has been deposited with Legal Services Committee of this Court, vide receipt of even date which is taken on record.

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.249, dated 03.12.2017, registered at Police Station Mandi, Gobindgarh, District Fatehgarh Sahib.

Notice of motion has been issued in this case. Learned State counsel 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.

As per the allegation in the FIR, the goods were supplied to various firms and some of the firms have made payment to the present petitioner-Pawan

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Garg, who did not pay the same to the complainant. There are also allegations that some goods were not supplied to the parties. From the records, it looks that the dispute is regarding business transaction.

In pursuance of the interim order dated 21.12.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail 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 21.12.2017, 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.

(INDERJIT SINGH)
JUDGE

07.08.2018
Anjal

Whether speaking/reasoned? Yes

Whether reportable? No