

CRM-M-5819-2018

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

CRM-M-5819-2018

Date of Decision: 27.07.2018

Jarnail Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Parneet Singh Baidwan, Advocate,
for the petitioner.

Mr. Pawan Sharda, Sr. DAG, Punjab.

Mr. Abhishek Chha, Advocate for
Mr. Nirbhay Garg, Advocate,
for the complainant.

INDERJIT SINGH, J. (Oral)

Petitioner-Jarnail Singh 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.263 dated 19.12.2017, registered at Police Station Mandi Gobindgarh, District Fatehgarh Sahib, under Sections 406 and 420 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and complainant also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned

State counsel and have gone through the record.

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From the record, I find that as per the prosecution version, FIR has been got registered by complainant-Manish Aggarwal, partner of Haryana Steel Tubes against the present petitioner and owner of Dashmesh Trading Company, Ludhiana. As per the allegations in the FIR, the present petitioner was a broker and he induced the complainant on the pretext that owner of Dashmesh Trading Company is an honest person. As per the allegations, the advanced amount has been deposited through RTGS in the account of Dashmesh Trading Company, but the goods were not supplied. As per the allegations, some money was also given to the present petitioner.

In pursuance of the interim order dated 19.03.2018 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 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 19.03.2018, 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.

27.07.2018

parveen kumar

Note: Whether speaking/reasoned
Whether reportable

(INDERJIT SINGH)
JUDGE

: Yes
: No