

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

CRM-M-1391-2019

Date of decision-01.02.2019

Amarjit Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Parminder Singh Sekhon, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab assisted by
ASI Jasvir Singh.

Mr. GPS Ghuman, Advocate for the complainant.

MANOJ BAJAJ, J.

Prayer in this petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.308 dated 19.12.2018, under Section 420 read with Section 34 of Indian Penal Code registered at Police Station City Sangrur, District Sangrur.

Learned counsel for the petitioner contends that complainant, namely, Jaspal Singh had moved complaint through his counsel G.S.Ghuman, Advocate on the allegation that in the year 2012 allegedly a sum of Rs.18,00,000/- was received by the petitioner for sending him abroad. The FIR itself records the fact that the complainant went to South America on a 13 days visa for the tourist purpose only. It is further argued that according to the complainant, about Rs.3,00,000/- was paid in account of petitioner and rest of the amount was paid in cash. It is argued that there is

no evidence of payment of this much amount to the petitioner and the allegations have been made after a long delay.

On the other hand, the bail application is opposed by learned State counsel who is assisted by ASI Jasvir Singh and submits that actually a sum of Rs.1,55,000/- and 1,75,000/- was transferred in the account of the petitioner-Amarjit Singh. Further it is not disputed that the parties are related to each other.

The rival contentions have been considered and it is not in dispute that the alleged transaction was of the year 2012 and the FIR has been lodged in the year 2018. Therefore, without meaning any expression on the merits of the case, petition is allowed. In the event of arrest, the petitioner is ordered to be released on bail subject to his furnishing requisite bail bonds and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

(MANOJ BAJAJ)
JUDGE

01.02.2019

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