

CRM-M-2388-2019

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

CRM-M-2388-2019

Date of Decision:26.02.2019

Anil Rajput

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Robin Lohan, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Atul Goyal, Advocate,
for the complainant.

INDERJIT SINGH, J.

Petitioner has filed this petition 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.252 dated 13.11.2018, registered at Police Station Dugri, District Ludhiana, under Section 420 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 complainant has also appeared through his counsel. They contested this petition.

I have heard learned counsel for the parties as well as learned State counsel and gone through the record.

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As per the FIR, complainant-Rakesh Jain was dealing with accused-Anil Rajput as he was publishing the advertisement work given by the accused. As per the FIR, the complainant had done the work of Rs.2,41,12,500/-, but the accused had made the payment of Rs.1,17,50,992/- only to him and an amount of Rs.1,23,51,558/- was due towards the accused, which he had refused to pay. It is also stated that the accused (present petitioner) has also committed fraud with many other persons.

Keeping in view the facts and circumstances of the present case, it looks *prima facie* that it is a case of business transaction. The petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending him to custody.

In view of the above facts and 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 21.01.2019, 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.

26.02.2019

parveen kumar

(INDERJIT SINGH)
JUDGE

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