

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-14362 of 2019

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Date of decision:05.04.2019

Balwinder Singh

...Petitioner

v.

State of Punjab

...Respondent

....

Coram: Hon'ble Mr. Justice Inderjit Singh

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Present: Mr. M.S. Uppal, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior Deputy Advocate General, Punjab
for the respondent-State.

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Inderjit Singh, J.

This petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in case FIR No.12 dated 14.2.2018 registered for the offences under Sections 420 and 406 IPC at Police Station Bhikhi, District Mansa.

Notice of motion has been issued in this case.

Mr. Dhruv Dayal, learned Senior Deputy Advocate General, Punjab has appeared on behalf of the respondent-State and contested this petition.

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

As per the prosecution version, the main allegation in the FIR is that Sukhwinder Dass alias Sukhwinder Singh is relative of the complainant and he has not given the total amount of the agricultural produce sold by the complainant since 2014. The petitioner and Sukhwinder Singh, who is managing the affairs of the complainant's pipe and tyre factory, Bathinda, had many time used to got his signatures on blank papers, blank stamp papers and cheque etc. As per the allegations, the present petitioner and co-accused in connivance with Sukhwinder Singh had purchased agricultural produce from him of the amount of more than ₹1,36,00,000/- but till date has not paid any money to them.

Learned counsel for the petitioner argued that the FIR has been registered in the year 2018. He further argued that as to why the complainant kept silent for five years. It has also been argued that a false case has been got registered.

Keeping in view the facts and circumstances of the present case, I find that the petitioner is not required for custodial interrogation. No useful purpose will be served by sending him to custody. Sukhwinder Dass alias Sukhwinder Singh co-accused has already been granted the benefit of anticipatory bail.

In view of the above, without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I accept this criminal miscellaneous petition and in the event of arrest, the petitioner shall be admitted to bail on his furnishing personal bonds and surety to the

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satisfaction of the Arresting/Investigating Officer. 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.

April 05, 2019.

(Inderjit Singh)
Judge

hsp

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