

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

CRM-M-37375-2018 (O&M)
Date of Decision:-1.3.2019

Asha Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bhavyadeep Walia, Advocate for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab
with H.C. Surinder Singh.

Mr. Raghav Gulati, Advocate
for Mr. Shiv K. Sharma, Advocate
for the complainant.

GURVINDER SINGH GILL, J. (Oral)

The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.106 dated 6.6.2018 under Sections 406, 420, 467, 468, 471 and 120-B IPC at Police Station Phase-I SAS Nagar, Mohali.

The FIR was lodged at the instance of Rajinderpal Singh wherein it has been alleged that he owns a shop in Sarabha Nagar, Bhadson road, Patiala and that on 8.4.2018, two persons approached him, who disclosed their identities as Directors of EGO Finance Company and disclosed their names as Sandeep Singh and Asha Singh. The said persons represented that in case the complainant was desirous of letting out of his showroom on rent, then they could arrange for the same and that they would talk in their Head Office. It is alleged that the said persons took an amount

of ₹ 2 lacs from him for the purpose of processing and approval of the file from the Head Office. Since the needful was not done, therefore, the complainant made inquiries but found that no office bearer was present in the premises and nor the accused were present there.

The learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that there is no evidence worth credence to connect them with the alleged cheating on their behalf.

Opposing the petition, the learned State counsel assisted by counsel for the complainant has submitted that in the FIR itself, it has been mentioned that the accused had defrauded some other persons identically. However, upon inquiry made by this Court to the State counsel and the police official present in the Court, it could not be confirmed as to whether the petitioner has been nominated as an accused in any other FIR.

Having considered the facts and circumstances of the case, in my opinion it is a fit case for grant of anticipatory bail. The petition, as such, is accepted and the petitioner, in the event of arrest, shall be released on anticipatory bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

The petition stands accepted accordingly.

1.3.2019

kamal

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No