

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

**Crl. Misc. No.M-22264 of 2019 (O&M)
Date of Decision: November 16, 2019**

Baldev Singh

.....PETITIONER.

VERSUS

State of Punjab

....RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Charanpal Singh Bagri, Advocate
for the petitioner (s).

Mr. Rakeshinder Singh Sidhu, A.A.G, Punjab.

Mr. Sahil Kaushal, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

Heard.

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No. 46 dated 17.04.2019 registered for the offences punishable under Sections 420, 120-B of Indian Penal Code at Police Station Machhiwara, District Khanna.

Learned State counsel submits that the petitioner has joined the investigation. The transaction is stated to have been taken place about 12 years back. It has been alleged by the complainant that he paid ₹5,50,000/- in cash to the petitioner and has tried to explain the delay in lodging the FIR with a plea that he has been demanding his money back during this period.

It will be the matter for investigation to see as to whether the plea as raised has any substance. Keeping in view of the submission of learned State counsel but without expressing any opinion on the merits of the case, this petition is allowed and the order dated 23.05.2019 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court.

November 16, 2019
Jyoti-II

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned: ***Yes/No***

Whether Reportable: ***Yes/No***