

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48554-2018

Date of Decision: 08.07.2019

Sukhjinder Singh

.....Petitioner

Vs.

State of Punjab

.....Respondents

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Rajvir Singh, Advocate,
for the petitioner.

Mr. Rajat Bansal, A.A.G., Punjab.

Mr. F.S. Virk, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (ORAL)

Learned counsel for the petitioner submits that the petitioner had actually paid a sum of Rs. 5,00,000/- to one Lalit Mohan Garg after withdrawing Rs. 4,00,000/- from his (the petitioners') mothers' account on 18.05.2016, and in fact it was towards repayment of that amount that Lalit Mohan Garg had one Harjinder Kumar deposit a sum of Rs. 3,00,000/- in the account of the petitioner by way of an RTGS transfer.

Learned counsel for the petitioner also submits that the petitioner is willing to deposit the amount of Rs. 3,00,000/- that he received in his account, with the trial Court, during the pendency of the trial (if eventually a '*challan*' is presented against him).

He further submits that there has never been any communication, either telephonically or otherwise, between the petitioner and the complainant and

consequently, the question of the complainant paying him any money for the alleged purpose of sending his son abroad does not arise.

Learned counsel for the State, as well as learned counsel for the complainant, on the other hand submit that the aforesaid Harjinder Kumar having been joined in the investigation, he has got his statement recorded to the effect that he had deposited the said amount in the account of the petitioner not at the instance of Lalit Mohan Garg but at the instance of complainant Gurjit Singh, with Gurjit Singhs' allegation being that the petitioner had demanded a sum of Rs. 6,00,000/- from him for sending his (the complainants') son abroad.

Having considered the matter, with it also shown that the petitioner has been convicted for a similar offence earlier, though obviously that would not eventually influence the investigation in the present case, yet I see no ground to continue the concession of anticipatory bail as had been granted as an interim measure to him.

Consequently, finding no merit in this petition, it is dismissed, with the interim order dated 01.11.2018 vacated.

However, nothing stated hereinabove will be taken to be an observation of this Court on the merits of the case for or against the petitioner, but only in the context of his petition seeking the concession of anticipatory bail, which, in my opinion, he does not deserve, as it may hamper investigation.

July 08, 2019
nitin

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No.