

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54627-2018

Date of Decision: 18.01.2019

Gagandeep Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Ramandeep, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Gagandeep Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.216 dated 15.12.2017, registered at Police Station Samana, District Patiala, under Sections 406 and 420 of the Indian Penal Code, 1860.

Notice of motion was issued.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

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

The FIR has been registered on the complaint of one Jagtar Singh, Director of Manku Agro Tec Private Ltd., who merely stated that present petitioner Gagandeep Singh had purchased one combine worth ₹17, 60,000/- on 25.03.2017. Out of which, Rs. 7,60,000/- was paid as margin money. He had got sanctioned a loan from ING Vyasa Ltd. to the tune of ₹10,00,000/- Later on, he did not pay the balance amount of

combine to the tune of ₹10,00,000/- to the complainant. When he asked for payment then the present petitioner stated that ING Vyasa Bank has been merged with Kotak Mahindra Bank and further asked for time to pay the balance amount. Till now, he has not deposited ₹10,00,000/- with the company, whereas the combine has already been sold.

In pursuance of the interim order dated 11.12.2018, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Otherwise, it looks to be a business transaction. No useful purpose would be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; 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 11.12.2018, 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.

18.01.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No