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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.7574 of 2020 (O&M)

Date of Decision: 27.02.2020

Mohd. Khalil

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Puneet Pali, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

RAJ MOHAN SINGH, J.(Oral)

The petitioner seeks grant of anticipatory bail in case bearing FIR No.01 date 04.01.2020, registered under Section 420 of Indian Penal Code at Police Station City Ahmedgarh, District Sangrur.

Notice of motion was issued on 20.02.2020. Perusal of the FIR would show that an amount of Rs.2,60,000/- was demanded by the petitioner and the same was paid to him by the complainant for getting his son employed. Neither the son was employed nor the amount was returned. At last, the petitioner repaid an amount of Rs.1,00,000/-. As per the allegations in the FIR mode of alleged payment of Rs.2,60,000/- and return thereof is stated to be in cash. Petitioner has denied the aforesaid transaction outrightly, rather he felt apprehension

of his involvement in some false case for which he sought jurisdiction of the Civil Court and also filed a complaint dated 10.07.2019 against Incharge, Economic Wing, Sangrur on account of threat perception entertained by him at the instance of the complainant party.

Petitioner even filed a CRM-M No.29839 of 2019 for issuance of appropriate directions to the Senior Superintendent of Police, Sangrur in the context of his harassment on account of some political vendetta. The said petition was disposed of vide order dated 16.07.2019 with a direction to the Senior Superintendent of Police, Sangrur to look into the matter and dispose of the representation dated 10.07.2019 filed by the petitioner in accordance with law. The FIR in question came to be registered thereafter.

Learned State counsel states that the complaint filed by the complainant was prior to the order dated 16.07.2019 passed by this Court.

Be that as it may, the factum of alleged payment of Rs.2,60,000/- by the complainant to the petitioner and return of an amount of Rs.1,00,000/- by the complainant would remain debatable.

In view of above, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 02.03.2020 and in the event of his arrest, he shall be released on bail on his

furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer 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 case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

February 27, 2020

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No