

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

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**CRM-M-19072-2020
Decided on : 12.10.2020**

Gurpiar Singh	Versus	... Petitioner
State of Punjab		... Respondent

CORAM : HON'BLE MR.JUSTICE G.S. SANDHAWALIA

Present: Mr.P.S.Sekhon, Advocate, for the petitioner.

Mr.A.A.Pathak, Addl.AG, Punjab.

Mr.G.S.Nahel, Advocate, for the complainant.

(The proceedings are being conducted through video conferencing,
as per instructions.)

G.S. Sandhawalia, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C., by the petitioner for grant of anticipatory bail in FIR No.76 dated 05.06.2020 lodged under Sections 420, 120-B IPC and Sections 3, 4 & 5 of the Prize Chits and Money Circulation Schemes (Banning) Act, 1978 at Police Station Chhajli District Sangrur.

On 10.08.2020, the following order had been passed:

“Counsel *inter alia* contends that the petitioner is also one of the aggrieved persons as he had also invested with company namely Live Trading India as he had sold land measuring 6 kanals for a sum of Rs.5,45,000/- on 27.05.2014 (Annexure A-2) and thereafter invested in the company on 31.05.2014 (Annexure A-1). Merely because he might have introduced the complainant Rajbir Singh to the other co-accused, he would not be liable as such for the criminal intent on their part. He submits that Bhupinder Kumar Gupta, one of the co-accused, stands arrested and he is the person responsible as such. Counsel submits that these facts can be verified by the investigating agency.

Notice of motion.

Mr. Saurav Khurana, DAG, Punjab accepts notice on behalf of the State and Mr. G.S. Nahel puts in appearance on behalf of the

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complainant and have opposed the benefit of interim protection on the ground that the custodial interrogation is required.

The above aspect can also be gone into by the investigating agency as such.

Accordingly, in the meantime, it is directed that the petitioner shall join investigation and in the event of arrest of the petitioner, he shall be released on ad-interim bail subject to the satisfaction of the investigation officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down in Section 438(2) Cr.P.C.

Adjourned to 12.10.2020.”

Counsel for the petitioner submits that the petitioner has joined investigation. Said fact is vouched by the State Counsel, on instructions from ASI-Darshan Singh. He further submits that petitioner does not have any other case of similar nature pending against him.

Mr. Nahel has vehemently opposed the anticipatory bail application to submit that the amount has not been recovered by him.

The said argument would not be a ground to deny the benefit of anticipatory bail, in view of the contentions which have been raised by counsel for the petitioner. More so, since the petitioner's antecedents are clean and he is not involved in any other case of similar nature.

Accordingly, in view of the above, the interim bail granted on 10.08.2020 is made absolute.

Petition stands disposed of.

**(G.S. SANDHAWALIA)
JUDGE**

OCTOBER 12, 2020
sailesh

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No