

In virtual Court

CRM-M-19763-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-19763-2020 (O&M)
Date of decision: 11.08.2020

Rupinder Singh Virk

... Petitioner

Vs.

State of Punjab and another

... Respondents

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.K. Walia, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Prashant Bansal, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.129 dated 14.06.2020 under Sections 406, 420, 34 IPC, registered at Police Station Sadar Samana, District Patiala.

Learned counsel for the petitioner, at the very outset, submits that though it has come in the statement that some amount has been received by co-accused Jaswinder Singh, however, in order to show his bonafide, the petitioner is ready to deposit Rs.80,000/- with the trial Court, without prejudice to his right of defence.

Learned State counsel, on the basis of affidavit of Deputy Superintendent of Police, Circle Samana, District Patiala filed in the Court

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today, submits that in the inquiry, it is found that instead of providing a work visa, the petitioner provided a tourist visa from 26.08.2019 to 25.11.2019 and therefore, there was cheating.

Learned counsel for the complainant has not disputed that an amount of Rs.80,000/- was paid to the petitioner.

After hearing learned counsel for the parties, without commenting anything on merits of the case and considering the fact that the petitioner undertakes to deposit an amount of Rs.80,000/-, which was received by him, with the trial Court/Illaq Magistrate, without prejudice to his right of defence, this petition is allowed and the petitioner is granted anticipatory bail subject to the conditions envisaged under Section 438 (2) Cr.P.C.

This will, however, be subject to the condition that the petitioner will deposit an amount of Rs.80,000/- with the trial Court within a period of one month from today, which will be kept in an FDR, without prejudice to his right of defence and subject to final outcome of the case.

In case of default, it will be open for the prosecution to apply for cancellation of bail.

[ARVIND SINGH SANGWAN]
JUDGE

11.08.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No