

S.No.103

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

CRM-M-28003 of 2020 (O&M)

Date of Decision:16.09.2020

Simarjeet Singh

.....Petitioner

Vs.

State of Haryana

.....Respondent

=====
IN VIRTUAL COURT
=====

CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Yashveer Kharb, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.661 dated 04.07.2019 registered under Sections 406, 420, 467, 468 and 471 IPC at Police Station Chandni Bagh, District Panipat.

It is contended by counsel for the petitioner that the case against the petitioner is totally concocted. The petitioner is not even named in the FIR. It is not even alleged that the petitioner was paid any money by any person regarding sending the complainant abroad. The only connection of the petitioner with the co-accused is that he happens to be a sleeping partner in the firm which is run by the other co-accused. The petitioner belongs to a different district at a distant place, therefore, he is not even directly connected with the day-to-day functioning of the firm of co-accused against whom the main allegations have been levelled. Still further, it is submitted that the other two co-accused; against whom there were allegations regarding receipt of money from the complainant, have already been released on bail. Still further, it is submitted that there is no other case against the petitioner. The petitioner shall join the investigation. Hence,

the petitioner deserves concession of anticipatory bail.

Notice of motion.

Mr. R.S. Jhand, Addl. AG, Haryana, accepts notice on behalf of the State.

Learned State Counsel, on instructions from ASI Pramod Kumar, has submitted that the petitioner has been found to be connected directly with the business of the other co-accused. He is a joint account holder along with the co-accused. However, it is not disputed that there are no specific allegations against the petitioner qua having received any money from the complainant or qua having made any representation to the complainant, as such. It is also not disputed that the other co-accused of the petitioner have been granted bail; and that there is no other case against the petitioner.

In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

September 16, 2020
renu

(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No