

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

Sr. No.204

CRM-M-32669-2020

Date of decision: 14.12.2020

Kulwinder Singh

....Petitioner

versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Karan Gupta, Advocate
for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.0299 dated 22.09.2020 registered under Sections 406, 420, 120-B IPC at Police Station Tripri Patiala, District Patiala.

Briefly stated, the case of the prosecution is that Mandeep Singh had purchased a Scooter from the complainant Agency on the strength of a loan sanctioned letter which had already been withdrawn by the Bank and since the petitioner was the person who had sold the scooter to Mandeep Singh he was also nominated as an accused.

Learned counsel for the petitioner contends that even if the FIR is taken as a gospel truth, though vehemently denied, no case of fraud under Sections 406, 420, 120-B IPC is made out against the petitioner as the petitioner was merely a sales man whose bona fide relied upon loan sanctioned letter given to him by Mandeep Singh; he was not aware of the

fact that such loan sanctioned letter had already been withdrawn by the Bank and that under the interim orders passed by this Court the petitioner has not only joined the investigation he has also fully cooperated with the investigating agency.

Learned State counsel on instructions from SI Hans Raj submits that under the interim orders passed by this Court the petitioner has not only joined the investigation he has also fully co-operated with the investigating agency and that his custodial interrogation is not required by the State.

Keeping in view the totality of the above noticed facts especially the statement made by the learned State counsel that the petitioner has joined the investigation and his custodial interrogation is not required, the order of this Court dated 14.10.2020, granting ad-interim anticipatory bail to the petitioner is made absolute.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

(DEEPAK SIBAL)
JUDGE

December 14, 2020

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Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No