

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

CRM-M-33878-2020(O&M)

Date of decision: 28.10.2020

ROHIT KUMAR JAIN

.....Petitioner

Versus

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.P.S.Ahluwalia and
Mr. Vipul Joshi, Advocates for the petitioner
Ms. Samina Dhir, DAG, Punjab
Mr.B.K.Mehta, Advocate for the complainant

ANIL KSHETARPAL, J. (ORAL)

On 21.10.2020, the following order was passed by this

Court:-

“The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No.355 dated 1.10.2020 registered under Section 406, 420 IPC at Police Station Division No.8, District Police Commissionerate, Ludhiana.

As per the case of the prosecution, the first informant who is a practicing Doctor had advanced a friendly loan of Rs.15 lakhs to the petitioner. Some documents in this regard were executed and for refund of the amount, a cheque was also issued. The aforesaid cheque on presentation before the Bank for encashment got dishonoured.

Learned counsel for the petitioner contends that on the basis of the allegations made in the FIR, no criminal case is made out against the petitioner.

Notice of motion.

On the request of the Court, Mr. Bhupender Beniwal, AAG, Punjab accepts notice on behalf of the State of Punjab and prays for time to seek instructions.

Mr. B.K.Mehta, Advocate puts in appearance on behalf of the first informant.

Adjourned to 28.10.2020.

Keeping in view the facts of the case, this Court is of the considered view that let the petitioner join investigation.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, 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.”

Learned State counsel, on instructions from ASI Ram Kishan, has submitted that the petitioner has joined investigation, cooperated and is not required for further custodial interrogation.

In view of the above, order dated 21.10.2020, is hereby made absolute.

The petition stands allowed.

28.10.2020
rekha

(ANIL KSHETARPAL)
JUDGE

Whether speaking/reasoned Yes / No

Whether Reportable Yes / No