

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-35208-2020 (O&M)
Date of Decision:-21.12.2020

Harpreet Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kulwant Singh Dhanora, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by SI Jaswinder Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.46 dated 4.3.2019 at Police Station Samrala, District Ludhiana under Sections 420, 467, 468, 471 and 120-B of Indian Penal Code.
2. The FIR was lodged at the instance of Baldev Singh wherein it is alleged that in the year 2016-17 the Government of India under National Horticulture Mission had floated a scheme for growing vegetables and cucumber in Poly Houses and had offered subsidy to the extent of 50% to the farmers against

their loan amount. It is alleged that as per scheme the farmers, who installed the Poly units through empanelled companies would be entitled to such subsidy. It is further alleged that Harpreet Singh (petitioner) who is running a company under name and style of 'Harpreet Singh & Company' (HARCO) approached the complainant and represented that his company has been empanelled by Government of India for installing Poly Houses and that he could get a subsidy of 50% for the complainant in case he opted for the same. The complainant further alleged that being taken in by the said representation he applied for loan from Canara Bank and was sanctioned amount of ₹39,06,000/- with which he installed Poly House with the help of the petitioner but the subsidy was never got released in his favour.

3. Learned counsel for the petitioner has submitted that there was some delay in processing of the documents and that as on date the subsidy to which the complainant was entitled to, already stands released.
4. Opposing the petition, the learned State counsel has not disputed the fact that the amount of subsidy already stands released but has opposed the petition while submitting that the petitioner in fact was not duly authorized for installation of Poly House.
5. I have considered rival submissions addressed before this Court.
6. Having regard to the nature of allegations and the fact that the subsidy amount in question already stands released to the complainant, it is not a case which would warrant custodial interrogation. The petition, as such, is accepted. It is ordered that the petitioner, in the event of arrest, be released on bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall

join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

21.12.2020

pankaj

**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No