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

CRM-M No. 8372 of 2021

Date of Decision: 23.04.2021

RATTAN PAL

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. Manoj Kaushik, Advocate
for the petitioner.

Mr. Ramandeep Sandhu, Sr.D.A.G., Punjab.

Mr. Sartaj Singh Thakur, Advocate,
for complainant Nos.1 to 8.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

The petitioner seeks grant of anticipatory bail in case bearing FIR No.07 dated 16.01.2021, under Section 406, 420, 120-B of IPC registered at Police Station City Hoshiarpur, District Hoshiarpur.

Notice of motion was issued on 23.02.2021 on the premise that petitioner was never appointed as Promoting Director/Director or Manager of any Branch of companies i.e.

M/s KIM Infrastructure and Developers Limited, M/s KIM Future Vision Services Limited, M/s Nector Commerical Estates Limited or any other company or partnership firm relating to aforesaid companies with reference to articles of association of the aforesaid companies Annexure P-7 to P-9.

Learned counsel for the petitioner contended that collective statements of complainants (7 in number) would not advance the case of prosecution over and above, the record wherein the plea was that the petitioner was Promoting Director/Director or Manager of the aforesaid companies.

Learned counsel for the petitioner further contended that in fact the petitioner is also a victim of fraud at the hands of the aforesaid companies and has been duped in a sum of Rs.25,02,200/-. Thereafter, CRM No.10230 of 2021 was filed for placing on record additional documents viz Annexure P11 which is a joint statement in the form of affidavit of 7 complainants. Balwinder Kaur wife of Balbir Singh has also filed her affidavit in the same context.

Mr. Sartaj Singh Thakur, Advocate has appeared on behalf of complainant No.8 and submitted that in fact the petitioner was involved due to some misconception and the matter stands settled. The complainants have no objection in case, the anticipatory bail is granted to the petitioner.

Learned State counsel on instructions from ASI Satnam Singh submits that in fact, the petitioner and the complainant party have settled the dispute inter se between them.

Looking to the aforesaid circumstances, I am of the view that the petitioner has made out a case for the grant of anticipatory bail. The petition is allowed. Petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 01.05.2021 and in the event of his arrest, he shall be released on anticipatory bail on his furnishing bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall

surrender his passport, if any.

(RAJ MOHAN SINGH)
JUDGE

23.04.2021

Amandeep

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No