

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

209

CRM-M-6655-2020

Date of Decision: 18.08.2021

Raj Kumar ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. B.D.Sharma, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by ASI Mohan 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 against him vide FIR No.40 dated 11.04.2019 at Police Station Dasuya, District Hoshiarpur, under Sections 408/465/467/468/471 IPC.
2. As per the allegations levelled in the FIR lodged at the instance of Raghuwant Singh, the petitioner Raj Kumar, Secretary, R.B. Cooperative Agricultural Society, Village Maangat, District Hoshiarpur and Amrinder Singh, President, R.B.Cooperative Agricultural Society, Village Maangat, District Hoshiarpur, represented to the complainant that in case he deposits an amount of Rs.10 Lakh in the Society, he would get an annual interest of Rs.80,000/- and upon believing them, the complainant deposited an amount of Rs.10 lakh on 01.02.2016 in the said Society

regarding which he was issued a receipt. However, when the complainant approached the accused on 31.01.2017 for the maturity proceeds, the accused put off the matter on one pretext or the other. Later, when the complainant sought information under RTI Act regarding genuineness of the fixed deposit receipt, it transpired that he had been cheated of an amount of Rs.10 Lakhs by the accused and a fake receipt had been issued to him.

3. Learned counsel for the petitioner submits that he has falsely been implicated in the instant case and that there is no evidence worth credence that the petitioner had received any amount from the complainant. Learned counsel further submits that the complainant has even failed to show the sources of deposit of such a huge amount of Rs.10 lakhs. It has been submitted that it is on account of party faction in the village that he has been falsely implicated.
4. Opposing the petition, learned State counsel has submitted that since the petitioner is specifically named in the FIR and during the course of interrogation, it has been found that the receipt issued by the accused was a forged receipt, no case for grant of bail is made out. Learned State counsel has, however, informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation and that he is not involved in any other case.
5. Having regard to the facts and circumstances of the case, it is evident that the case is mainly based on documentary evidence, which had already been collected by the police. In any case, since

the petitioner had already joined investigation and is not stated to be involved in any other case, the petition is accepted and the interim directions issued by this Court vide order dated 14.02.2020 are hereby made absolute subject to the condition that the petitioner shall join 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.

18.08.2021

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**