

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

CRM-M No. 13069 of 2021
Date of decision: 22.03.2021

Vicky Luthra Petitioner.
Versus
State of Punjab Respondent.

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present:- Mr. Naveen Batra, Advocate, for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab, for the respondent.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 5 dated 16.02.2021, under Section 420 of the Indian Penal Code, 1860, registered at Police Station Hajipur, District Hoshiarpur.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR and has been arraigned as an accused just because he is the husband of Jyoti Bala, who has been arrested. It is alleged that co-accused, namely, Jyoti Bala along with another lady had gone to the jewellery shop owned by the complainant and wanted to sell gold bangles for ₹50,000/-. An amount of ₹20,000/- was paid to them by the wife of the complainant and they were asked to get their Aadhar card and papers to get the balance amount of ₹30,000/-, but they did not turn up again and later it was found that the gold bangles were fake. He also contends that the allegations are highly improbable as it would not be possible that a jeweller would not come to know that the bangles were fake and were not of gold. He further contends that the petitioner is not involved in any other case.

Issue notice to the respondent.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of the respondent-State. He contends that in view of the gravity of the offence alleged to have been committed by the petitioner, he is not entitled to the concession of anticipatory bail.

Heard.

Without expressing any opinion on the merits of the case and in view of the above, especially when the petitioner is not named in the FIR and has been arraigned as an accused on the statement of co-accused, his wife has been arrested, he is not involved in any other case and the Covid19 pandemic, I deem it a fit case to grant the concession of anticipatory bail to the petitioner.

Therefore, the petitioner is directed to appear before the investigating officer within a period of 15 days from the date of receipt of certified copy of this order and on his doing so, he shall be released on bail to the satisfaction of the arresting/investigating officer till submission of report under Section 173 of the Code of Criminal Procedure, 1973 ('Cr.P.C.' - for short). The petitioner shall continue to join investigation and shall furnish an undertaking that he shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C. Thereafter, he will be permitted to furnish regular bail bonds to the satisfaction of the trial Court.

The petition stands disposed of in the aforementioned terms.

(ANUPINDER SINGH GREWAL)
JUDGE

22.03.2021
Ramesh

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No