

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

(Sr. No. 223)

CRM-M No. 22090 of 2021 (O&M)

Date of decision : 23.08.2021

Sukhwinder Kaur and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Priyanshu Kamra, Advocate for
Mr. Shadab Ahmad, Advocate for the petitioners.
Mr. Jagmohan S. Ghumman, DAG, Punjab.
Mr. Achin Gupta, Advocate for the complainant.

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DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C.
for the grant of anticipatory bail in FIR No. 89 dated 07.05.2021 registered
under Sections 420, 120B IPC at Police Station Canal Colony, district
Bathinda.

Briefly stated, the case of the prosecution is that the petitioners
took Rs.4,00,000/- from the complainant on the pretext of getting
employment for him but later resiled from their promise and returned only
Rs.1,50,000/- and for the remaining amount a cheque of Rs.2,50,000/- was
given, which on presentation was dishonoured.

Learned counsel for the petitioners contends that the

petitioners have been falsely implicated in this case at the behest of the complainant who is related to the petitioners and with whom the petitioners have a money dispute; a false story has been made up by the complainant only to arm-twist the petitioners; the petitioners have no criminal antecedents; to show their *bona fides* the petitioners have already deposited Rs.1,70,000/- with the investigating agency and that under the interim orders passed by this Court the petitioners have also joined investigation.

Learned State counsel acknowledges the fact that the petitioners have deposited Rs.1,70,000/- with the investigating agency and that they have also joined the investigation.

Learned counsel for the complainant opposes the grant of anticipatory bail to the petitioners on the ground that they have defrauded the complainant.

Whether the petitioners have been falsely implicated in this case at the behest of the complainant on the basis of a money dispute between them would be debated during the course of the petitioners' trial. However, out of the disputed amount of Rs.2,50,000/- the petitioners have already deposited Rs.1,70,000/- with the investigating agency and thus shown their *bona fide*. They have also joined the investigation and cooperated with the same.

After considering the totality of the above facts, the interim order of this Court dated 16.06.2021 granting ad interim anticipatory bail to the petitioners is made absolute.

The draft of Rs.1,70,000/- deposited with the investigating agency be now deposited by the Investigating Officer before the Trial Court

to be converted into a fixed deposit (FD) in a nationalised bank to be disbursed in terms of the final order to be passed in petitioners' trial.

23.08.2021
sunil yadav

(DEEPAK SIBAL)
JUDGE

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