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

CRM-M-2004-2022

Date of decision:20.07.2022

BALWINDER SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. P.S. Ahluwalia, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner, by filing the present petition cast under Section 438 of Cr.P.C., seeks grant of anticipatory bail in case FIR No.163 of 21.08.2021, registered at Police Station Urban Estate, District Patiala, wherein offences constituted, under Sections 406, 420 of IPC, are embodied.

2. This Court, through an order made, on 19.01.2022 had granted *ad-interim* bail to the present bail petitioner.

3. The complainant alleges that, he had made an investment with the company headed by the present bail petitioner, on the pretext of the latter making a promise to him that, his investment shall give dividends higher than the ones, as may have been derived by him, through his making investments in other banking, and, non-banking institutions.

4. Consequently, he alleges that he was duped in a sum of Rs.1,25,000/-, in making the purported pretextual investment in the alleged non-banking finance company, headed by the present bail petitioner. However, the learned counsel for the petitioner contests the afore factum, and, in his making the above factum, he anchors, it upon Annexure P-4, wherethroughs, a license

has been issued by the competent authority rather for manufacturing, distributing, and, marketing food, and, cosmetic products. He further contends that obviously, hence he was never engaged in the alleged business of asking for investments in any non-banking finance company. The above made submission appears to be valid, as the complainant has sworn an affidavit, photocopy whereof becomes appended with the petition, as, Annexure P-2, wherein, he has communicated that, the dispute has been settled, and, that he does not want to thereafter draw any prosecution against the present bail petitioner.

5. In consequence, this Court does not deem it fit, and, appropriate to order for the custodial interrogation of the present bail petitioner. Moreover, also when the prosecution, at this stage, has not adduced any evidence, suggestive that in the event of the bail petitioner being admitted to anticipatory bail, there is every likelihood of his fleeing from justice or tampering with prosecution evidence or influencing the prosecution witnesses.

6. In summa the order as made, by this Court, on 19.01.2022, is made absolute on the same terms and conditions, and, also subject to his furnishing, if not already furnished, personal, and, surety bonds in the sum of Rs.50,000/- each, to the satisfaction of the arresting officer, and, also subject to his rendering co-operation to him, in the investigations to be carried into the offences mentioned in the present FIR. Moreover, also with an undertaking, that he shall not tamper with prosecution evidence, and, nor shall influence the prosecution witnesses.

7. Disposed of.

(SURESHWAR THAKUR)
JUDGE

20.07.2022

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

ITHLESH KUMAR
2022.07.21 11:08
I attest to the accuracy and
authenticity of this order