

In the High Court of Punjab and Haryana at Chandigarh

217-2

**CRM-M-30662-2021 (O & M)
Date of Decision: January 28, 2022**

KULDEEP SHARMA

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Aditya Sanghi, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Nishan Singh Chahal, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

Case taken up through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.64 dated 05.05.2021, under Sections 420 and 120-B IPC, registered at Police Station Sadar Kotkapura, District Faridkot.

Learned counsel for the petitioner contends that it is alleged that a sum of ₹33 lacs was taken from the complainant, who is the son-in-law of the petitioner, on the pretext of sending him abroad. The daughter of the petitioner, who is wife of the complainant, had actually gone abroad, but due to Covid-19 Pandemic and lockdown, her husband could not join her. He also contends that daughter of the petitioner is making every endeavour to take her husband abroad. He also contends that a sum of ₹5 lacs had been paid by the complainant to the petitioner through RTGS which the petitioner is willing to return. He shall deposit the demand draft for an amount of ₹5 lacs in the name of the complainant before the trial Court.

This Court, by the order dated 23.11.2021, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Gurcharan Singh, states that the petitioner has joined investigation.

Learned counsel for the complainant states that in view of the serious allegation against the petitioner, he is not entitled to the concession of anticipatory bail.

In view of the above and the petitioner having joined investigation, the order dated 23.11.2021 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

However, the petitioner shall deposit a demand draft for an amount of ₹5 lacs in the name of the complainant before the trial Court which shall be disbursed to the complainant, subject to the outcome of the case.

(ANUPINDER SINGH GREWAL)
JUDGE

January 28, 2022
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No