

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

CRM-M-44398-2020 (O&M)

Date of decision: 18.04.2022

Amrinder Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Parminder Singh, Advocate for the petitioner.

Mr. Ashok Singh Chaudhary, Addl. AG Haryana

Mr. Kawalpreet Singh Virk, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 300 dated 29.10.2020, registered under Sections 406, 420 and 506 IPC, at Police Station Ram Nagar, District Karnal.

Reply by way of affidavit dated 03.03.2022 of the Deputy Superintendent of Police, Headquarters, Karnala, already filed in the Registry is taken on record.

Learned counsel for the petitioner submits that the allegation against the petitioner is that he has duped the complainant on the pretext of arranging a study visa for the complainant and after receiving the documents and certificates, the complainant was offered two courses i.e. one in Australia and another in Newzealand and it was the complainant who did not further opt for those courses and that the allegations pertain to the year 2014, whereas the FIR was lodged in the year 2020.

Learned State counsel assisted by the learned counsel for the complainant opposes the *ad interim* anticipatory bail granted to the petitioner and submits that till date, the petitioner has neither returned the money to the complainant, nor applied for any study visa for the complainant as offered to him.

Vide order dated 08.01.2021 passed by a Coordinate Bench, *ad interim* anticipatory bail was granted to the petitioner.

Learned counsel for the petitioner submits that pursuant to the aforesaid order dated 08.01.2021, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Ashok Kumar, submits that the petitioner has joined the investigation.

I have heard the learned counsel for the parties.

The dispute pertains to the year 2014 and the FIR was registered on 29.10.2020, i.e. after a gap of more than 6 years. Moreover, it is the case of the petitioner that the complainant himself backed out of the options granted to him.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 08.01.2021 granting *ad interim* anticipatory bail to the petitioner is made absolute, subject to the conditions envisaged in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

18.04.2022

Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No