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

CRM-M-54813-2021

Date of decision : 28.02.2022

Amar Singh @ Amardeep Singh

...Petitioner

Versus

State of Haryana

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Gautam Bhardwaj, Advocate for the petitioner.

Mr. Praveen Bhadu, AAG, Haryana.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.361 dated 04.09.2021 registered under Sections 420, 406, 506 of the Indian Penal Code, 1860 at Police Station Baldev Nagar, District Ambala.

On 13.01.2022, this Court had passed the following order:-

“CRM-799-2022

Application is allowed, as prayed for.

Annexures P-3 to P-7 are taken on record, subject to all just exceptions.

Main case

Learned counsel for the petitioner inter alia contends that even as per the FIR, the transaction and the dealings

were between the complainant and a Firm by the name of M/s Solutions 1313 and an amount of Rs.2.8 lacs was paid by Gurpreet Singh to the Google Account of Amrinder Singh and not in the account of the petitioner. It is submitted that no money was paid to the petitioner and in fact, the present petitioner was working as a Technical Support Assistant as and when called by the co-accused firm, for carrying out the work and did not have the authorized power to deal with the clients and has never entered into any agreement with the complainant. Further reference has been made to the complaint/application under Section 156(3) of Cr.P.C. (Annexure P-6) filed by the co-accused Amrinder Singh against the complainant and other persons, in which, in para 2 of the same, it has been specifically stated that it is the said Amrinder Singh, who is the sole proprietor of M/s 1313 Solutions. Further reference has also been made to civil suit (Annexure P-7) which has been filed by the said Amrinder Singh against the complainant and other persons, in which also in para 2 of the same, similar averments have been made. Even the Certificate (Annexure P-3) would also fortify the fact that it is Amrinder Singh, who is the sole proprietor of the said firm. It is argued that the version of Amrinder Singh has been detailed in the application/complaint filed under Section 156(3) of Cr.P.C. It is further argued that the petitioner is not involved in any other case.

Notice of motion.

On asking of the Court, Mr. Praveen Bhadu, AAG, Haryana, appears and accepts notice on behalf of State of Haryana and seeks time to get instructions.

Adjourned to 28.02.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing

personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 13.01.2022, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Lal Chand, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 13.01.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 13.01.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

28.02.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No