

101

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

-.-

CRM M – 37869-2023
Date of decision: 04.08.2023*Ashok Kumar**.....Petitioner**Versus**State of Punjab**.....Respondent***Coram: Hon'ble Mr. Justice Rajbir Sehrawat**Present: Mr. S S Behl, Advocate
for the petitioner

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Rajbir Sehrawat, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, praying for grant of anticipatory/pre-arrest bail to the petitioner in case FIR No. 102 dated 05.07.2023, registered under Sections 406 and 420 of the Indian Penal Code, at Police Station Dakha, Ludhiana Rural (Annexure P-1).

2. It is submitted by counsel for the petitioner that case against the petitioner is totally concocted. Even as per the story of the prosecution, the entire money; which was allegedly paid by the complainant; has gone to the bank account of brother of the petitioner. There is no other case against the petitioner. Hence, the petitioner deserves to be protected against his arrest.

3. Notice of motion.

4. Mr. Sandeep Singh, Additional Advocate General Punjab accepts notice on behalf of the respondent - State.

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Counsel for the State, being assisted by ASI Gurmeet Singh, P

S Dakha, Ludhiana and being assisted by Ms Manpreet Ghuman, Advocate appearing on behalf the complainant has submitted that the petitioner and his brother are common in business and they have cheated the complainant for a sum of Rs.14,00,000/-. However, it is not disputed that the entire money had gone to the bank account of brother of the petitioner.

6. In view of the above, but without commenting anything on merits of the case, the present petition is allowed. In the event of arrest, the petitioner be released on bail, subject to his furnishing personal bonds/surety to the satisfaction of the 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.

(Rajbir Sehrawat)
Judge

August 04, 2023

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