

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-51393-2021 (O&M)

Date of decision : 16.2.2023

Shubham @ Shubam

... Petitioner

VERSUS

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present: Mr. Jatinder Singh Gill, Advocate,
for the petitioner.

Mr. C.L.Pawar, Addl. AG, Punjab.

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.218 dated 12.11.2021 registered under Sections 420 IPC at Police Station City Gurdaspur, District Gurdaspur.

The allegations in nutshell are that co-accused Mohan Singh and the petitioner defrauded the complainant and took amount of ₹ 8.5 lakh from him on the pretext of sending him abroad. Thereafter, they failed to fulfill their promise and also refused to return the money. There are specific allegations that amount of ₹ 4.5 lakh was transferred in the bank account of co-accused Mohan Singh while another ₹ 4 lakh were received in cash by the present petitioner from the complainant at the instance of co-accused Mohan Singh.

Counsel for the petitioner *inter alia* contends that the petitioner is falsely implicated in this case and no amount was ever entrusted to the

petitioner and further, the petitioner has joined the investigation with the police in compliance of previous order.

Present petition is resisted by the counsel for the complainant who submits that there are specific allegations against the petitioner regarding his involvement in the present case. State counsel on instructions from ASI Harjinder Singh submits that indeed the petitioner has joined the investigation with the police, cooperated during the investigation and is not required by the police for further investigation or custodial interrogation.

Admittedly, in the connected matter (CRM-M-54732-2021), co-accused Mohan Singh has already made payment of ₹ 2 lakh to the complainant.

In view of the above, without commenting on the merits of the case, the present petition is allowed and order of interim bail dated 16.12.2021 is hereby made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(KARAMJIT SINGH)
JUDGE

February 16, 2023
Paritosh Kumar

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