

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

225

CRM-M-1290 of 2024

Date of Decision: 18.01.2024

Gurparkash Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM : HON'BLE MR. JUSTICE N.S.SHEKHAWAT

Present : Mr. Varun Dhawan, Advocate
for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

Mr. Puneet Kumar Bansal, Advocate,
for the complainant.

N.S.SHEKHAWAT, J. (Oral)

1. The petitioner has filed the present petition under Section 438 of the Cr.P.C. with a prayer to grant pre-arrest bail to him in case FIR No.0131 dated 11.12.2023 registered under Sections 406, 420 and 120-B IPC at Police Station Division City Zira, District Zira.

2. Learned counsel for the petitioner contends that the petitioner had been falsely involved in the present case. In fact, the Gurbani, ILETS and Immigration Centre, Ferozepur Road, Zira, is run by Balwinder Singh, co-accused petitioner and the petitioner was a neighbour of Balwinder Singh. He further contends that in fact, the account of the petitioner was misused by Balwinder Singh, co-accused and the petitioner never acted as a travel agent. He further contends that it was shown that a sum of Rs. 10.50 lacs was

transferred in the account of the petitioner, whereas, he had already transferred the amount of Rs. 10.45 lacs to the complainant side. Learned counsel further contends that the petitioner is not having any blank signed cheques of the complainant and he does not wish to initiate any kind of proceedings in any Forum/Court of law against the present complainant on the strength of the alleged blank signed cheques/alleged blank signed papers.

3. On the other hand, learned counsel assisted by learned counsel for the complainant has vehemently opposed the prayer made by the learned counsel for the petitioner and submitted that cheques bearing Nos. 000401, 000402, 000403, 000404 and 000405 of ICICI Bank have been illegally kept by the petitioner and there is an apprehension that said cheque might be misused by the petitioner or his co-accused.

4. In reply to the above submissions, learned counsel for the petitioner contends that neither the petitioner nor his father Gurjant Singh are having any blank signed cheques/blank signed papers in their possession and there is no question of any recovery from the petitioner petitioner.

5. I have heard learned counsel for the parties and perused the record.

6. From the record, it is apparent that an amount of Rs. 10.50 lacs was transferred in the account of the petitioner, however, he had already transferred back an amount of Rs. 10.45 lacs.

Still further, in the opinion of the Court, in view of the statement made by the learned counsel for the petitioner, the custodial interrogation of the petitioner would be required at this stage.

7. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2) of the Cr.P.C. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438(2) of the Cr.P.C.

18.01.2024

amit rana

(N.S.SHEKHAWAT)

JUDGE

Whether reasoned/speaking : Yes/No

Whether reportable : Yes/No