

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212

CRM-M-8300-2024
Date of Decision:21.03.2024

MAHINDER SINGH @ GAURAVPetitioner

Vs.

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Robin Singh, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab
assisted by ASI Devanand

DEEPAK GUPTA, J.(ORAL)

On 16.02.2024, following order was passed:

“Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.0001 dated 02.01.2024 registered under Sections 420, 120-B of the IPC registered at Police Station City Gurdaspur, District Gurdaspur.

Allegations are that complainant Dr. Ashok Mahajan wanted to purchase a car. On the asking of his relative Vinayak Mahajan, complainant contacted petitioner Mahinder Singh @ Gaurav and on his asking an amount of ₹16,00,000/- was remitted to IJM Private Motor Limited, Gurgaon. Later on, it was found that the account was of some Tayal Enterprises. The amount did not reach to the intended destination i.e. Sonak Automobiles Pvt. Ltd., Pune from where the car was to be delivered. It was found during investigation that one Sanchit Mittal had got the amount transferred in his account from Tayal Enterprises.

Learned counsel for the petitioner contends that petitioner has been falsely implicated and that an amount of ₹16,00,000/ has already been transferred back in the account of the

complainant Ashok Mahajan on 05.02.2024. Learned counsel has drawn attention in this regard towards account statement of the complainant as Annexure P-4.

Notice of motion.

Mr. R.K. Takkar, DAG, Punjab accepts notice on behalf of respondent- State.

Adjourned to 21.03.2024.

In the meantime, in case of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C. ”

Today learned State counsel, on instructions from ASI Devanand submits that petitioner has since joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 16.02.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

21.03.2024

pry

Whether Speaking/reasoned
Whether Reportable

(DEEPAK GUPTA)
JUDGE

Yes/No
Yes/No