

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10450-2024
Reserved on: 10.07.2024
Pronounced on: 30.07.2024

Mahinder Pal ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Sardavinder Goyal, Advocate and
Mr. Nitin Kant Setia, Advocate
for the petitioner.

Mr. Gurpartap S. Bhullar, A.A.G., Punjab.

ANOOP CHITKARA, J.

FIR No.	Dated	Police Station	Sections
0267	02.12.2023	Guruharsahai	420, 467, 468, 471, 409, 120-B IPC and 13 of PC Act, 1988

1. The petitioner apprehending arrest in the FIR captioned above has come up before this Court under Section 438 CrPC, 1973, seeking anticipatory bail.
2. Vide order dated 28.02.2024, petitioner has been granted interim bail and the said order is continuing till date.
3. Counsel for the petitioner submits that the petitioner's brother had committed suicide because of the pressure of his senior and the money had been transferred in the petitioner's account without his knowledge and later on transferred back the entire money.
4. Counsel for the petitioner further submits that an amount of Rs.34,76,916/- was received in his account and he has transferred back Rs.34,77,059/- to the account of his brother because the money had been transferred at the instance of Gurmeet Singh and may be in conspiracy with petitioner's brother Charanjit Singh who is not traceable after leaving suicide note on 29.05.2023.

5. In the entirety of facts and circumstances coupled with the fact that although money has been transferred to the petitioner but the petitioner's conduct of transferring back the money would prima facie show that either the money was transferred into his account without his knowledge or he was just acting as money mule and he did not take any pecuniary advantage from the said money.

6. Given above, the petition is allowed and interim order dated 28.02.2024 is made absolute. All pending applications, if any also stand disposed.

(ANOOP CHITKARA)
JUDGE

30.07.2024
Jyoti Sharma

Whether speaking/reasoned: Yes
Whether reportable: No.