

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11842-2024
Reserved on: 10.07.2024
Pronounced on: 30.07.2024

Rakesh Kumar ...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, seeking anticipatory bail.
2. Vide order dated 06.03.2024, petitioner has been granted interim bail and the said order is continuing till date.
3. According to the affidavit filed by SHO, the petitioner has transferred back an amount of Rs.4,24,000/- to accused Charanjit Singh who is missing.
4. 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.

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5. Given above, the petition is allowed and interim order dated 06.03.2024 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.