



In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-19516-2024 (O&M)
Date of Decision:-22.10.2024

Gurikbal Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

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

Mr. Prabhdeep Singh Dhaliwal, AAG, Punjab.

FIR No.	Dated	Police Station	Under Section/s
85	29.06.2023	Sadar Sangrur, District Sangrur	420 of IPC

GURVINDER SINGH GILL, J.(Oral)

1. The petitioner seeks grant of anticipatory bail in respect of the
aforementioned FIR.
2. At the time of issuance of notice of motion, the following order was passed
on 22.4.2024:

“The petitioner seeks grant of anticipatory bail in respect of a case
registered against him vide FIR No. 85, dated 29.06.2023, Police
Station Sadar Sangrur, District Sangrur, under Section 420 IPC.

The complainant alleges that on 26.5.2022 when he was in need of
some financial help, he spoke to his friend Mukesh Kumar, who
further told him that his friend Anil Kumar could help him. Anil



Kumar contacted the complainant telephonically and initially got a transaction effected from the credit card of the complainant for an amount of Rs.50,000/ and later transferred an amount of Rs.51,500/- to the bank account of the complainant and further represented that in case, the complainant is again in need of some amount or if any of his friend requires any amount, he could help them in a similar manner. The complainant alleged that later he got effected another online transaction from his credit card for an amount of Rs.50,000/-. The complainant alleged that he told about the said scheme to his friend Harwinder and passed on Harvinder's credit card number to Anil Kumar, who effected a transaction of Rs.48,666/- from the said credit card of Harwinder and another transaction of Rs.48,564/- from another credit card of Harwinder. Similarly, Anil Kumar effected a transaction of Rs.29,772/- from the credit card of another friend of complainant i.e. Taranjit Singh while representing that he will be transferring the amount in their account by even. However, no such amount was credited into the accounts of the complainant as well as to his friends.

Learned counsel submits that he is nowhere named in the FIR and has been nominated as an accused on the premises that some amount was transferred by Anil Kumar into the account of the petitioner. It has been submitted that a mere transfer of some amount in the account of the petitioner without there being any overt act on his part is not sufficient to connect him with the alleged fraud.

Notice of motion for 15.10.2024.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.”



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3. Learned State counsel, upon instructions from the Investigating Officer, has informed that pursuant to interim directions issued by this Court on 22.4.2024, the petitioner has since joined investigation and he is not required for any custodial interrogation.”
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 22.4.2024 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

22.10.2024

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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No