



CRM-M-30108-2024

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(107)

CRM-M-30108-2024

Date of decision: - 18.06.2024

Harpreet Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Neeraj Yadav, Advocate,
for the petitioner.Mr. Jasinder Singh Sekhon, Advocate
for the petitioner.

Mr. N.S. Diwana, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

1. This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.157 dated 09.05.2024, under Sections 420, 406 and 120-B IPC and Section 13 of the Punjab Travel Professional (Regulation) Act, 2014 (Annexure P-1), registered at Police Station City Hoshiarpur, District Hoshiarpur.

2. Learned counsel for the petitioner has submitted that the petitioner was only working as an employee with the main accused and during the course of his employment, certain amounts were deposited in his account, which were adjusted against his salary and has further submitted that a compromise has been effected between the main accused

**CRM-M-30108-2024****-2-**

and the complainant and two cheques of amount of Rs.20 lakhs and Rs.3 lakhs have been issued by the two co-accused, which subsequently have been dishonored. It is submitted that the issuance of the said cheques shows that the said persons are the main accused. It is very fairly submitted that as per the petitioner, a total amount of Rs.8,00,000/- was deposited in the account of the petitioner being an employee of the above-said accused, out of which Rs.4,00,000/- has already been paid by the petitioner to the complainant and the petitioner is ready to pay an amount of Rs.4,00,000/, which as per him is the balance, to the complainant Kasturi Lal. It is stated that the payment of the said amount however should not be construed as an admission of guilt on behalf of the petitioner.

3. Learned counsel appearing for the complainant has submitted that only an amount of Rs.2,85,000/- has been paid by the petitioner and it is the case of the complainant that a higher amount than Rs.8,00,000/- has been credited to the account of the present petitioner. It is submitted that the petitioner be at least directed to pay Rs.5,00,000/- to the complainant and the same be not construed as a full and final payment.

4. Learned counsel for the petitioner in rebuttal has submitted that the petitioner would give an amount of Rs.5,00,000/- to the complainant within a period of 15 days from today and the petitioner be granted the benefit of anticipatory bail and the same be not construed as an admission of guilt by the petitioner.

**CRM-M-30108-2024****-3-**

5. Keeping in view the above-said facts and circumstances, the present petition is allowed, subject to the following conditions.

- (i) The petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.
- (ii) Petitioner would prepare a demand draft of an amount of Rs.5,00,000/- in the name of the complainant Kasturi Lal within a period of two weeks from today and is also directed to give the same to the Investigating Officer of the case within the aforesaid period, who shall further handover the same to the said complainant within a period of one week thereafter.
- (iii) The payment of the abovesaid amount would not be construed as an admission of guilt by the petitioner nor the same would be taken as full and payment and all issues with respect to the same are kept open to be agitated during the course of trial as well as any other proceedings which the parties may wish to initiate
- (iv) In case the petitioner does not comply with any of the above-said conditions, then, it would be open to the State as well as the complainant to move an application for cancellation of the bail granted to the petitioner by this Court.

June 18, 2024
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No