



CRM-M-42206-2024

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**211 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-42206-2024

Decided on : 24.09.2024

Puneet Mahajan

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MRS. JUSTICE MANJARI NEHRU KAULPresent : Mr. Namit Gautam, Advocate
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

Manjari Nehru Kaul, J.(Oral)

1. This is the petition filed by the petitioner under Section 482 of BNSS, 2023 seeking concession of anticipatory bail in case FIR No.180 dated 05.09.2023 under Sections 406, 420, 465, 468 471 and 120-B IPC and Section 13 of Punjab Travel Professional (Regulation) Act, 2014 registered at Police Station Division No.6 District Jalandhar.

2. Learned counsel for the petitioner *inter alia* contends that the petitioner has been falsely implicated in the present case along with other co-accused, for allegedly cheating the complainant to the tune of Rs.3 lakhs. While drawing the attention of this Court to the FIR in question (Annexure P-1), learned counsel has submitted that a bare perusal of the same clearly reveals that the essential ingredients of the alleged offences are clearly missing in the present



case.

3. Learned counsel has further submitted that the petitioner was in no way the beneficiary of the transaction in question as it is a matter of record that no money was ever transferred into his bank account. Additionally, learned counsel points out that the co-accused Dr. Naginder Khera had also approached this Court seeking anticipatory bail during which she was directed to deposit Rs.3 lakhs with the Trial Court. In compliance of order dated 20.03.2024, co-accused Dr. Naginder Khera duly deposited the amount and subsequently, her application for anticipatory bail was allowed on 13.05.2024 by a Coordinate Bench of this Court. In support of his submissions, learned counsel has relied upon Annexures P-3 and P-4.

4. Learned counsel for the petitioner has further submitted that the only role attributed to the petitioner is that the sum of Rs.3 lakhs was deposited into the account of co-accused Dr. Naginder Khera's by co-accused Rajinder Narang, at the petitioner's request. It is solely on the basis of this transaction that the petitioner has been named as an accused. However, since the said amount has already been deposited with the Trial Court by Dr. Naginder Khera, no recovery is to be affected from the petitioner.

5. Furthermore, learned counsel asserts that the petitioner in compliance of order dated 29.08.2024 joined the investigation and fully cooperated with the investigating agency. It has been further



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submitted that the petitioner does not have any previous criminal antecedents and in these circumstances, his custodial interrogation would serve no useful purpose and therefore, prays that the order dated 29.08.2024 be made absolute.

6. Per contra, learned State counsel, on instructions, does not dispute the factum of the petitioner having joined the investigation and cooperated with the investigating agency. It has also not been disputed that the petitioner is not involved in any other case much less a case of similar nature.

7. I have heard learned counsel for the parties and perused the material placed on record.

8. Admittedly, the petitioner is not involved in any other criminal case much less a case of similar nature. Furthermore, the petitioner has already joined the investigation and cooperated with the investigating agency.

9. In the facts and circumstances, present petition is allowed and the order dated 29.08.2024 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.PC/482(2) of BNSS.

24.09.2024
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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable :	Yes/No