

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

CRM-M-51688-2024
Date of Decision: 02.12.2024

Aadil Ansari		...Petitioner
	vs.	
State of Punjab		...Respondent

Coram : Hon’ble Mr. Justice N.S.Shekhawat

Present : Mr. Nafeesh Ahmed, Advocate for
 Mr. Lalit Mohan Brara, Advocate
 for the petitioner.

 Mr.M.S.Bajwa, Deputy Advocate General, Punjab.

N.S.Shekhawat J. (Oral)

1. The petitioner has filed the present petition under Section 438 of Cr.P.C., with a prayer to grant anticipatory bail to him in case FIR No.44 dated 12.05.2024, registered under Sections 406, 420 and 120-B of IPC, at Police Station Badali Ala Singh, District Fatehgarh Sahib.
2. Learned counsel for the petitioner contends that in the present case, all the allegations have been levelled against Amir Ansari, brother of the petitioner and the entire amount was deposited in the account of Amir Ansari. He further contends that even during the course of investigation, the police could not collect any evidence to show that the petitioner had received even a single penny. He further contends that the petitioner had only passed on an information with regard to holding and clearing of the interviews at the instance



of his brother Amir Ansari. Except that, the petitioner had no concern with the alleged crime.

3. On the other hand, learned State counsel has vehemently opposed the submissions made by learned counsel for the petitioner on the ground that the petitioner had joined hands with his brother Amir Ansari to cheat the complainant to the tune of Rs. 17 lacs. However, he admits that no amount was deposited with the account of the present petitioner.

4. I have heard learned counsel for the parties and perused the record.

5. From the submissions made by learned counsel for the parties, it is apparent that the entire amount has been paid by the complainant to Amir Ansari, non-applicant and the petitioner had not received any amount in his account. Even otherwise, the case is based on documentary evidence and the custody of the petitioner will not serve any meaningful purpose.

6. Without commenting any further on the merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail, subject to the conditions as provided under Section 438(2) of the Cr.P.C. It will be open for the Investigating Officer to call the petitioner to join investigation, if so required, by issuing a written notice in this regard and he shall abide by the conditions mentioned in Section 438(2) of the Cr.P.C.

(N.S.SHEKHAWAT)
JUDGE

02.12.2024.
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No