

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

2024:PHHC:148285-DB



CRM-M No. 56400 of 2024 (O&M)

Date of Decision: 13.11.2024

Naib Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SHEEL NAGU, CHIEF JUSTICE

Present : Mr. Sandeep Gahlawat, Advocate and
Ms. Amandeep Kaur, Advocate, for the petitioner.

Mr. Gagneshwar Walia, Addl. Advocate General, Punjab with
Mr. Charanpreet Singh, Deputy Advocate General, Punjab.

SHEEL NAGU, CHIEF JUSTICE (Oral)

The petitioner, who has no criminal antecedents, apprehends his arrest in respect of offences of cheating and criminal breach of trust registered vide FIR No. 131 dated 06.10.2024 under Sections 406 and 420 of the Indian Penal Code at Police Station Sadar Patiala, District Patiala.

2. The prosecution story indicates that the petitioner alongwith co-accused Arshdeep Singh made a false promise to the complainant that all arrangements for sending her son to Singapore would be made for which Rs. 2,30,000/- as consideration were asked for, out of which Rs. 1,70,000/- were deposited in the account of the petitioner.

3. The grievance of the petitioner is that son of the complainant was never sent to abroad and therefore, a complaint was made to the police in 2022 which ultimately led to lodging of FIR in 2024.

4. Considering the fact that there are no criminal antecedents and there is no possibility of fleeing from justice and the petitioner assured that he will cooperate with the investigation, this Court extends the benefit of anticipatory bail to the petitioner subject to his furnishing personal bonds for a sum of Rs.1,00,000/- with two sureties of the like amount each to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join 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 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023. In case the petitioner does not join the investigation, the State is free to move an application for cancellation of his bail.

5. This order shall also remain subject to the following condition:-

i) The petitioner shall plant 10 saplings of indigenous plants at a public place and submit proof in that regard by way of photographs before the concerned Police Station where the FIR has been registered within a period of 15 days and if there is no such intimation submitted or intimation is found to be incorrect, then the State can move an application for cancellation of his bail.

6. The petition stands allowed.

(SHEEL NAGU)
CHIEF JUSTICE

13.11.2024

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Whether speaking/reasoned	√Yes/No
Whether reportable	Yes/No√