



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

**CRM-M-56868-2024  
Date of decision: 11.03.2025**

**GURMEET SINGH**

**...PETITIONER**

**V/S**

**STATE OF PUNJAB AND ANOTHER**

**...RESPONDENTS**

**CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR**

Present: Mr. Vinay Kumar Gupta, Advocate for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

Mr. Arsh Bir, Advocate for respondent No.2.

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**HARPREET SINGH BRAR, J. (ORAL)**

1.            The instant petition is preferred under Section 438 Cr.P.C. (Now Section 482 BNSS, 2023) seeking anticipatory bail in FIR No.17 dated 11.02.2023 at Police Station City Nakodar, District Jalandhar Rural, under Sections 406 and 420 of Indian Penal Code.

2.            On 14.11.2024, following order was passed:

*“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.17, dated 11.2.2023 at Police Station City Nakodar, District Jalandhar Rural, under Sections 406 and 420 of Indian Penal Code.*

*The FIR was lodged at the instance of Sukhdev Dutt Banka, wherein it is alleged that Jagdish Gill (adopted son of the petitioner), Kiran wife of Jagdish Gill and the petitioner had defrauded the complainant of an amount of Rs.19.49 lakhs on the pretext of sending complainant's son to 'Canada'.*

*Learned counsel for the petitioner submitted that the petitioner is serving as Assistant Sub Inspector (ASI) in*



*Punjab Police and has been implicated falsely simply to pressurize the entire family. Learned counsel submitted that no amount whatsoever was ever paid to the petitioner or was transmitted in his bank account, but since the entire family including his adopted son and daughter-in-law have been involved, he in order to show his bona fides, is willing to deposit an amount of Rs.6 lakhs before the Trial Court within a period of one month from today.*

*Notice of motion for 11.3.2025.*

*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 Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.*

*The aforesaid directions shall, however, be subject to the condition that the petitioner, as per his offer, shall deposit an amount of Rs.6 lakhs before the Trial Court/Illaq Magistrate within a period of one month from today. Upon deposit of such amount, the Trial Court/Illaq Magistrate shall get the same invested in some FDR with some Nationalized Bank with a specific direction to Manager of the bank concerned not to entertain any request for encashment of the same except under orders of the Court.”*

3. Learned State counsel, on instructions from ASI Rajinderpal Singh, submits that the petitioner has joined the investigation and is not required for further custodial interrogation. He further submits that in compliance of the aforesaid order, an amount of Rs.6 lakhs has been deposited by the petitioner.

4. Learned counsel for the petitioner submits that the petitioner has no objection, in case, the aforementioned amount be disbursed in the account



of the complainant/respondent No.2.

5. Keeping in view the statement made by learned State Counsel, the order dated 14.11.2024, is made absolute and the learned trial Court/Illaq Magistrate is directed to disburse the amount of Rs.6 lakhs, deposited by the petitioner, in favour of the complainant/respondent No.2, within a period of two weeks from the date of receipt of certified copy of this order. The petitioner shall abide by the terms and conditions enumerated in Section 438 (2) Cr.P.C. (Now Section 482(2) BNSS, 2023).

6. The petition is accordingly disposed of.

7. Nothing observed hereinabove shall be construed to be an expression of opinion by this Court lest it may prejudice the trial. The learned trial Court is directed to proceed with the trial on its own merits, strictly in accordance with law.

**March 11, 2025**  
*manisha*

**(HARPREET SINGH BRAR)**  
**JUDGE**

- |      |                           |        |
|------|---------------------------|--------|
| (i)  | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable        | Yes/No |