

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM No. M-19599 of 2015

Date of decision:- August 03, 2015

Rachpal Singh

.....Petitioner..

Vs.

State of Punjab

....Respondent..

CORAM:- HON'BLE MR. JUSTICE JASPAL SINGH

Present:- Mr. D.S. Gandhi, Advocate,
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab.

JASPAL SINGH, J. (Oral)

This is a petition under Section 438 of the Code of Criminal Procedure preferred by Rachpal Singh, seeking pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No. 12, dated 31.01.2015, under Sections 420 and 120-B IPC, at Police Station Kathunangal, District Amritsar.

2. While issuing notice of motion, following order was passed by this Court on June 10, 2015:-

“It is the contention of the counsel for the petitioner that there are no details with regard to the dates on which the petitioner was visited by the complainant, as has been alleged in the F.I.R. nor has any date been mentioned with regard to handing over of the money. He further contends that the

petitioner has disowned his son Gurvinder Singh and in support of this contention has placed reliance upon the newspaper cutting dated 13.11.2013 (Annexure P-3). He has also placed reliance upon the 'majornama' issued by the Gram Panchayat (Annexure P-2), according to which the petitioner has never participated in the immigration business nor does he own any office for the said purpose. He accordingly contends that the petitioner has merely been roped in the case to pressurise him to part with money which the petitioner has nothing to do with and if there is something to be seen, it is only with regard to Gurvinder Singh, the disowned son of the petitioner. Counsel states that the petitioner is ready and willing to join, participate and cooperate in the investigation.

Notice of motion for 14.07.2015.

Petitioner shall join the investigation as and when called for by the Investigating Officer. In the event of arrest of the petitioner, he shall be released on interim bail to the satisfaction of Investigating/Arresting Officer subject to the following conditions apart from others as specified under Section 438 (2) Cr.P.C.:-

- i) that he shall make himself available for interrogation by a police officer as and when required;*
- ii) that he shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;*
- iii) that he shall not leave India without the previous permission of the Court.”*

Learned State counsel, on instructions from ASI Dalip Kumar has categorically stated that in compliance of order dated June 10, 2015, petitioner has already joined the investigation on June 16, 2015 and he is no more required for further investigation in this case.

Taking into consideration all the aforesaid aspects of the

case, order dated June 10, 2015, is made absolute, subject to the conditions, as envisaged under Section 438(2) Cr.P.C.

(JASPAL SINGH)
JUDGE

August 03, 2015
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