

**Sr. No. 209
IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM No. M-37201 of 2015
Date of Decision: 25.01.2016**

Capt. Gurdev Singh

...Petitioner

Versus

State of Punjab

... Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Brijesh Nandan, Advocate for
Mrs. Anupam Bhanot, Advocate,
for the petitioner.

Mr. D.S.Virk, AAG, Punjab.

TEJINDER SINGH DHINDSA. J (ORAL)

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.160 dated 29.10.2014, under Sections 420 and 120-B of Indian Penal Code, registered at Police Station Sarhali, Tarn Taran.

FIR was registered on the statement of Bahal Singh son of Chanchal Singh. It was alleged that the complainant was informed by the present petitioner that they are in possession of a cheque of Rs.2 Lacs pertaining to the M.P. fund and if advantage of this Rs.2 Lacs cheque is to be taken then Rs.20,000/- would have to be paid.

While issuing notice of motion, the following order was passed by this Court on 19.12.2015:

*“Petitioner is directed to join investigation forthwith.
Meanwhile, in the event of his arrest, the petitioner shall
be released on bail to the satisfaction of*

arresting/investigating officer subject to the following conditions:-

(i) He shall make himself available for interrogation by a police officer as and when required.

(ii) 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; and

(iii) He shall not leave India without the previous permission of the court.

To come up on 25.01.2016.

In case, the petitioner did not co-operate with the investigating agency, it shall be at liberty to seek his custodial interrogation.”

Learned State counsel on instructions from ASI Manpreet Singh would apprise the Court that the petitioner has since joined investigation and even the cheque in question is in possession of the Investigating Agency. State counsel would further submit that the petitioner is not required for custodial interrogation.

Petition is allowed. Order dated 19.12.2015, passed by this Court, is made absolute.

Disposed of.

25.01.2016

vandana

**(TEJINDER SINGH DHINDSA)
JUDGE**