

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

**Crl. Misc. No.M-2431 of 2017 (O&M)
Date of Decision: December 11, 2017**

Jaspinder Singh

.....PETITIONER(s).

VERSUS

State of Punjab

...RESPONDENT(s).

CORAM:- HON'BLE MR. JUSTICE SURINDER GUPTA

Present: Mr. Sanjiv Gupta, Advocate
for the petitioner (s).

Ms. Seena Mand, D.A.G. Punjab

Mr. Munish Garg, Advocate
for the complainant.

SURINDER GUPTA, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.408 dated 23.12.2016 registered for the offences punishable under Sections 420 read with Section 120-B of Indian Penal Code, at Police Station City Barnala, District Barnala.

Heard.

Learned State counsel on instructions from ASI Jagtar Singh submits that petitioner has joined the investigation, which is still in progress but his custodial interrogation is not required for the purpose of further investigation. Police is also looking into the aspect of registration of FIR No.14 dated 17.01.2017 at Police Station Nathana, District Bathinda.

Learned counsel for the complainant submits that though the

petitioner has joined the investigation but the police has not recovered even a single penny paid by the complainant to him under the deal of sending the complainant abroad.

It is a case where the petitioner is claiming himself to be a victim at the hands of one Gagandeep and FIR No.14 dated 17.01.2017 was registered at his instance. He has joined the investigation and his further custodial interrogation is not required. Police is also looking into the present FIR as well as FIR got registered by the petitioner.

In view of the above facts but without expressing any opinion on the merits of the case, this petition is allowed and order dated 07.02.2017 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the Court;
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court, which the trial Court will decide on the basis of evidence collected during investigation.

December 11, 2017
Sachin M.

(SURINDER GUPTA)
JUDGE

Whether speaking/reasoned:
Whether Reportable:

Yes/No
Yes/No