

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-19040 of 2018

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Date of decision:16.7.2018

Hardeep Singh

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. I.S. Chawla, Advocate for the petitioner.

Ms. Monika Jalota, Deputy Advocate General, Punjab
for the respondent-State.

Mr. Ashdeep Singh, Advocate for the complainant.

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Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.197 dated 30.12.2017
registered for the offence under Section 420 IPC at Police Station Payal,
District Ludhiana.

Notice of motion has been issued in this case.

Ms. Monika Jalota, learned Deputy Advocate General, Punjab
has put in appearance on behalf of the respondent-State and Mr. Ashdeep
Singh, learned Advocate appeared for the complainant and contested this
petition.

I have heard learned counsel for the parties as well as learned
State counsel appearing for the respondent-State and have gone through the
record.

[2]

From the record, I find that the FIR in the present case has been got registered on the complaint of Jagjit Singh. As per the allegations, ₹5 lakhs were given to the present petitioner in the year 2005 and the petitioner had given fake Visa to the complainant. It is also in the FIR that he again contacted the petitioner in the year 2008 for the same purpose.

Keeping in view the fact that the payment was given in 2005 but the FIR has been registered in the year 2017 after the gap of more than 12 years, the petitioner has already joined the investigation and he is not required for custodial interrogation; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 7.5.2018 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.PC.

However, nothing stated above will constitute my opinion on the merits of the case.

July 16, 2018.

(Inderjit Singh)
Judge

hsp

NOTE:	Whether speaking/reasoned:	Yes
	Whether reportable:	No