

CRM-M-22753-2018

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

CRM-M-22753-2018

Date of Decision:14.09.2018

Balkar Singh and another

... Petitioners

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sukhdeep Singh Sidhu, Advocate,
for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioners-Balkar Singh and Jasvir Singh have filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.23 dated 14.03.2018, registered at Police Station Ajitwal, District Moga, under Sections 420 and 406 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioners as well as learned State counsel and gone through the record.

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As per the allegations in the FIR, co-accused, Karamjit Kaur has cheated about 15 persons. She has promised to give articles worth ₹45,000/- to each person, but has not given the articles or money after collecting the installments. The present petitioners are not named in the FIR.

Learned counsel for the petitioners as well as learned State counsel stated that parties have already effected compromise and out of ten persons, money/articles have been given to six persons.

In pursuance of the interim order dated 29.05.2018 passed by this Court, the petitioners have already joined the investigation. They are not required for custodial interrogation. Therefore, no useful purpose will be served by sending the petitioners to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 29.05.2018, granting interim bail to the petitioners, is made absolute. However, the petitioners shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

14.09.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

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