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

CRM-M-24915 of 2019

Date of decision: August 26, 2019

Narinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG Punjab.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioner, in FIR No.29 dated 24.03.2018, under Section 420 of Indian Penal Code, 1860, registered at Police Station Islamabad, District Amritsar.

As per prosecution case, Manjit Singh and his son (petitioner) duped the complainant to the tune of ₹25,000/- on the pretext of providing him job of gunman in the Bank.

On 29.05.2019, while issuing notice of motion, this Court has passed the following order:-

“Submits that the alleged amount of ₹ 25,000/- will be returned to the complainant within two weeks from today.

Notice of motion for 16.08.2019.

The aforesaid amount in the shape of demand draft be deposited with the Investigating Officer of the case and same shall be handed over to the complainant.

In the meanwhile, the petitioner is directed to join the

investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Contentends that in terms of order dated 29.05.2019, amount of ₹25,000/- has already been paid to the complainant and the petitioner has joined investigation.

The above factual position has been duly acknowledged by learned State counsel, on instructions from Assistant Sub Inspector Anil Kumar and has submitted that custodial interrogation of the petitioner is not required.

In view of the above, order dated 29.05.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

August 26, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No