

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

CRM-M-62050 of 2018
Date of Decision: 18.09.2019

SARWAN SINGHPetitioner
Versus
STATE OF PUNJAB ...Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Kulwant Singh, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

Mr. G.S. Dhaliwal, Advocate
for the complainant.

MAHABIR SINGH SINDHU, J.(Oral)

Present petition has been filed under Section 438 Cr.P.C.
seeking pre arrest bail in case FIR No. 243 dated 19.11.2018, under
Sections 408 and 420 of the Indian Penal Code registered at Police
Station Jamalpur, District Ludhiana.

On 31.01.2019, the following order was passed by this
Court:

“Mr.G.S.Dhaliwal, Advocate appears and files
vakalatnama on behalf of respondent no.2, same is taken
on record.

Allegations against the petitioner are regarding deposit
and withdrawal of an amount of ` 25,89,940/- pertaining
to the year 08.11.2016 i.e date of demonetization uptill
18.07.2017 and the present FIR has been registered on
19.11.2018.

Learned State counsel seeks time to place on record the
copy of complaint made by respondent no.2 –
complainant.

On his request, adjourned to 05.03.2019.

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 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.”

It is contended by learned counsel for the petitioner that in terms of the above order, petitioner has already joined investigation.

Learned State counsel on instructions from the police official has acknowledged the above factual position and stated that the custodial interrogation of the petitioner is no longer required in the present case.

In view of the above, order dated 31.01.2019 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

However, it is made clear that above observations may not be construed as an expression of opinion on the merit of the case pending before learned trial Court.

[MAHABIR SINGH SINDHU]
JUDGE

September 18, 2019

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Whether speaking/reasoned
Whether reportable?

Yes/no
Yes/no