

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M- 29771 of 2020

Date of Decision: 14.10. 2020

Vithal Bahl

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Rishi Kaushal, Advocate
for the petitioner(s).

Ms. Samina Dhir, Deputy Advocate
General, Punjab for the respondent.

Mr. P.S.Punia, Advocate
for the complainant.

Anil Kshetarpal, J.

On 25.09.2020, the following order has been passed by this

Court:-

“The petitioner aged about 76 years prays for grant of pre-arrest bail in a criminal case arising from FIR No.129 dated 27.6.2020 registered under Section 420, 120-B, 506 IPC at Police Station Sadar Ahmedgarh, District Sangrur.

As per the case of the prosecution, the first informant had booked a chartered plane of the company run by the petitioner in order to bring back his son from England against payment of an amount of Rs.30 lacs. At that time

international flights had stopped operating due to COVID-19 pandemic. The petitioner also alleged that another amount of Rs.28 lacs was paid in cash through Vinayak Kedia.

It is the case of the prosecution that an amount of Rs.27 lacs has been returned whereas the remaining amount is still to be recovered.

The petitioner alongwith his son and an employee had filed an application for grant of pre-arrest bail before the Court of Sessions. The Court keeping in view the facts of the case, granted interim protection to the applicants while directing them to join the investigation. Except the present petitioner, the other two applicants did join the investigation, however the petitioner could not join the investigation because of his age and spread of COVID-19 pandemic.

Ms. Samina Dhir, DAG, Punjab has informed the Court that the other two accused did join the investigation and all the documents have been recovered.

Learned counsel for the petitioner contends that since now lockdown is over, the petitioner is ready to join the investigation. He further contends that it is the case of the first informant that the petitioner and the first informant were having business transactions.

Notice of motion.

On the request of the Court, Ms. Samina Dhira, DAG, Punjab accepts notice on behalf of the State of Punjab and prays for time to seek instructions.

Adjourned to 14.10.2020.

Keeping in view the aforesaid facts, it is considered appropriate that let the petitioner join investigation.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Ms. Samina Dhir, Deputy Advocate General, Punjab, has submitted that the petitioner has joined investigation, co-operated and not required for further custodial interrogation.

In view of the aforesaid facts, the present petition is allowed and interim pre-arrest bail granted to the petitioner by this Court on 25.09.2020 is made absolute.

(Anil Kshetarpal)
Judge

October 14, 2020
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No