

HARWINDER SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Mahir Sood, Advocate for
Mr. Sanish Girdhar, Advocate
for the petitioner.

Mr. Randhir Singh Thind, DAG, Punjab.

VIVEK PURI, J. (ORAL)

Present petition under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner, namely Harwinder Singh in case FIR No. 179 dated 29.08.2019, registered under Sections 406 & 420 IPC, Section 13 of Travel Professional Regulation Act, 2014 at Police Station Rama Mandi, District Jalandhar.

On 23.09.2019, the following order was passed.

“Learned counsel for the petitioner submits that the money alleged to have been paid by the complainant was actually in the account of the petitioners' son, Hardeep Singh, who is already in custody, with the petitioner having simply been roped in (as contended).

Notice of motion, returnable on 20.11.2019.

In the meanwhile, upon the petitioner joining investigation and complying with all conditions stipulated in Section 438(2) of the Cr.P.C., if he is sought to be arrested, he shall be released on bail, on his furnishing adequate bail and surety bonds

to the satisfaction of the arresting officer/Illaq Magistrate.

If the investigating officer does not actually join the petitioner in investigation, he would appear before the learned Illaq Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation, in terms of the order of this Court”.

It has been stated by the learned counsel for the petitioner in pursuance of the interim direction issued by this Court vide order dated 23.09.2019 that the petitioner has joined the investigation. The amounts have been transferred in the bank account of Hardeep Singh-son of the petitioner. There is an allegation with regard to payment of cash to the tune of Rs. 1 lac to the petitioner and his son without any supporting document. The amount was allegedly received for the purpose of sending the complainant abroad. It has further stated that Hardeep Singh, in whose account the amount has been transferred, has been granted regular bail and nothing is to be recovered from the petitioner herein.

Learned State counsel on instructions from ASI Ajmer Lal has not disputed the factual position.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 23.09.2019, granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

24.01.2020
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(VIVEK PURI)
JUDGE