

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

CRM-M-53012 of 2019

Date of Decision:-13.02.2020

Sohan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Narinder S. Lucky, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

JASGURPREET SINGH PURI J.(Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.20 dated 19.4.2019, under Sections 420 and 406 IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014, registered at Police Station Behram, District Shaheed Bhagat Singh Nagar. The petitioner apprehended his arrest at the hands of Police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 12.12.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that an FIR No.20, dated 19.04.2019 registered under Sections 420, 406 IPC

and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Behram, District Shaheed Bhagat Singh Nagar has been filed against one Manjot Singh. Learned counsel further contends that even as per the allegations contained in the FIR, petitioner allegedly introduced the complainant to one Manjot Singh son of Darshan Singh, who had allegedly taken some money from the complainant for the purpose of sending him abroad. He has further contended that the petitioner is an old person aged 75 years and the allegations contained in the FIR are totally false.

From the perusal of the FIR it can be seen that the alleged role attributed to the petitioner is only that he introduced one Manjot Singh to the complainant and the alleged money has been taken by Manjot Singh and not by him. Further the age of the petitioner is also a relevant factor in the present case.

Notice of motion for 13.02.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds/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.

However, in case the petitioner holds a passport, he shall surrender it before the police.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by the investigating officer does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from the investigating officer further states that the petitioner is not required for custodial interrogation

for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 12.12.2019 is made absolute.

February 13, 2020
Vijay Asija

(JASGURPREET SINGH PURI)
JUDGE

Whether speaking/reasoned	Yes / No
Whether Reportable	Yes / No