

211

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

(Through video-conferencing)

CRM-M No.4052 of 2021

Date of Decision: 17.09.2021

PARMINDER SINGH

.....Petitioner

Vs

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: *HON'BLE MR. JUSTICE RAJ MOHAN SINGH*

Present: Mr. H.S. Brar, Sr. Advocate with
Mr. J.S. Dosanjh, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.254 dated 06.12.2020 registered under Sections 420 & 406 IPC at P.S. Maur, District Bathinda.

Notice of motion was issued on 29.01.2021 and arrest of the petitioner was stayed on the premise that there was no proof of payment of the amount on three different dates. Even mode of payment has not come forth viz. date, place and manner of payment in which the payment was allegedly made.

The passport of the complainant was to expire in the year 2014. In view of aforesaid facts, the payments allegedly made thereafter without getting the passport renewed would be debatable. Learned Senior counsel for the petitioner also alleged *mala fide* against respondent No.2 by way of elaborating events in the pleadings of the petition.

Thereafter vide order dated 05.07.2021, the petitioner was directed to join the investigation along with interim anticipatory bail.

Learned Senior counsel for the petitioner submits that in compliance of the aforesaid order, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from SI Joginder Singh admits the aforesaid fact and submits that the presence of the petitioner is no more required for further investigation of the case. No recovery has been effected.

The receipt of payments in view of *prima facie* observation made by this Court in the order dated 29.01.2021 would remain debatable and yet to be established by the parties with reference to any material on record.

For the reasons recorded hereinabove, the interim order dated 05.07.2021 is made absolute. However, the

petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

September 17, 2021

Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No