

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

CRM-M-10338-2021

Date of decision : 20.12.2021

Kuljit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr.Naveen Bawa, Advocate
for the petitioner.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.45 dated 09.02.2021 registered under Sections 420 IPC and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Ranjit Avenue, District Amritsar.

On 11.11.2021, this Court was pleased to pass the following order:-

“A common order is being passed in both the matters.

The petitioners in both the cases have been made accused in FIR No. 45 dated 09.02.2021 registered under Section 420 of Indian Penal Code, 1860 and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Ranjit Avenue, District Amritsar.

The petitioners have made allegations and counter allegations against each other. As it, prima facie, transpires that an amount of Rs.1,98,000/- is due from the petitioner Sukhjinder Singh (in CRM-M-17790-2021)

which has to be paid to Lovepreet Singh. As far as the petitioner Kuljeet Singh (in CRM-M-10338-2021) is concerned, he is in possession of two passports in the name of Harmanpreet Singh and Malkit Singh which have to be handed over to the said two persons.

Learned counsel appearing for the petitioner-Sukhjinder Singh has submitted that the petitioner Sukhjinder Singh would prepare a draft in the name of Lovepreet Singh for an amount of Rs.1,98,000/- and would hand over the same to the Investigating Officer within a period of 15 days from today.

Learned counsel appearing for petitioner-Kuljit Singh has also submitted that he would also hand over the passports of Harmanpreet Singh and Malkit Singh to the Investigating Officer within a period of 15 days from today.

In view of the abovesaid facts and circumstances, the matter is adjourned to 20.12.2021.

In the meanwhile, in the event of arrest of petitioners, they shall be released on interim bail to the satisfaction of Arresting Officer/Investigating Officer. They will join investigation as and when called and cooperate in the same. They will abide by the conditions of Section 438 (2) Cr.P.C.

The petitioner- Sukhjinder Singh is directed to prepare a draft of Rs.1,98,000/- in the name of the complainant Lovepreet Singh and submit the same before the Investigating Officer within a period of 15 days from today. The petitioner Kuljit Singh is directed to hand over the passports of Harmanpreet Singh and Malkit Singh to the Investigating Officer within a period of 15 days from today.

On the draft and passports being handed over to the Investigating Officer, the Investigating Officer is directed to hand over the draft to Lovepreet Singh so that

Lovepreet Singh can credit the same to his account and the passports to Harmanpreet Singh and Malkit Singh.

It is made clear that if any of the petitioners do not comply with the abovesaid directions within the stipulated period of 15 days, then the interim order would be liable to be vacated.

A photocopy of this order be placed on the file of another connected case.”

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined investigation.

Learned State counsel, on instructions from ASI Sukhdev Singh, has submitted that the petitioner has joined investigation and is not required for further investigation.

Keeping in view the above said facts and circumstances, moreso, the facts which have been noticed in the order dated 11.11.2021 and also the fact that the petitioner has joined investigation, the present petition for anticipatory bail is allowed and the interim order dated 11.11.2021 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail petition.

(VIKAS BAHL)
JUDGE

December 20, 2021

Davinder Kumar

Whether speaking / reasoned
Whether reportable

Yes/No
Yes/No