

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

239

CRM-M-20802-2021

Date of Decision:01.09.2021

GURMEET SINGH

...PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Munish Gulati, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

Through the instant petition under Section 438 of Code of Criminal Procedure, 1973, the petitioner seeks anticipatory bail in case FIR No.02 dated 03.01.2021, registered under Section 420 of IPC, 1860, at Police Station Mukerian, District Hoshiarpur.

While granting interim protection to the petitioner on 25.05.2021, this Court passed the following order:-

“Submits inter alia that the Petitioner is only an employee under one Anchal Masih, whom he joined as a Clerk after retiring from the Army.

Submits further that all the money in question was passed on to the said Anchal Masih, and that in any case the Petitioner has returned an amount of Rs.2,96,000/- to the Complainant Surinder Singh, which was equivalent to the amount actually deposited by the said Complainant in his account. To support this contention attention of the Court is drawn to the various entries in the Petitioner's

Bank Account (Annexure P-3) showing payments made from his account to the said Surinder Singh, who is stated to be the Holder of Account No.30598828558.

Notice of motion.

Mr. Ramdeep Partap Singh, Dy. Advocate General, Punjab to accept notice on behalf of the Respondent-State. A copy of the paper-book be handed over to him.

Adjourned to 1st September, 2021.

Meanwhile, in the event of arrest of the Petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

1 That he shall make himself available for interrogation by a Police Officer as and when required;

2 That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police Officer and;

3 That he shall not leave India without prior permission of the Court.”

Learned State counsel on instructions from SI Gurdip Singh, states that the petitioner has joined the investigation and he is no longer required for custodial interrogation. Upon further instructions, he submits that the petitioner is involved in another FIR No.169 dated 28.08.2020 registered for the offence under Sections 420, 467, 468, 471, 506 and 120-B IPC, 1860, at Police Station Gurdaspur.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 25.05.2021 granting interim bail to the petitioner is made absolute, subject to the

conditions laid down in Section 438(2) of the Code of Criminal Procedure.

The petitioner shall furnish an undertaking to the effect that henceforth, he will not get involved in any criminal activity. In case, the petitioner violates the undertaking, it shall be open to the State to seek cancellation of bail.

01.09.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No