

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

204

CRM-M-38584-2020 (O&M)
Date of Decision: 23.09.2021

Kuldeep Singh ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Anil Kumar Sagar, Advocate, for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab
assisted by ASI Nirmal Singh.

Mr. Saurav Bhatia, Advocate, for the complainant.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No.107 dated 29.10.2020 at Police Station Phase 11, District SAS Nagar, under Sections 406/420/465/467/468/471/120-B IPC and 13 of Punjab Travel Professionals (Regulation) Act.
2. At the time of issuance of notice of motion, the following order was passed:

"The case has been taken up for hearing through video conferencing.

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No.107 dated 29.10.2020 registered under Sections 406, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 and

Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 in Police Station Phase 11, District SAS Nagar.

Learned Counsel for the petitioner has argued that the petitioner has been falsely implicated in the present case. The petitioner did not make any fraudulent assurance and did not receive any amount from the complainant. Co-accused Sarika @ Meera Rawat and Jasnnor @ Promila Devi have already been granted regular bail by learned Sessions Judge, SAS Nagar vide order dated 10.11.2020. The petitioner is ready to join the investigation and his custodial interrogation is not required for making any recovery.

Notice of motion.

Pursuant to supply of advance copy, Mr. Mehardeep Singh, Addl. A.G., Punjab has appeared and accepted notice on behalf of the respondent-State.

Learned State Counsel seeks time to file reply.

Adjourned to 28.01.2021.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim bail allowed to him.”

3. Learned counsel for the petitioner has informed that he has falsely been implicated in the instant case wherein allegations are broadly to the effect that the petitioner has cheated the complainant of an amount of Rs.11,500/-.
4. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and that he is not wanted for any custodial interrogation.

5. In view of the aforestated position, particularly keeping in view the amount stated to be involved and the fact that the co-accused have already been granted bail and also the fact that the petitioner has already been joined investigation, his custodial interrogation is not warranted. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 23.11.2020 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

23.09.2021

VY

(GURVINDER SINGH GILL)

JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**