

204

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

**CRM-M-46093-2019
Date of decision-30.07.2021**

AMANPREET SINGH**...Petitioner****Vs.****STATE OF PUNJAB****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Sandeep Arora, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

MANOJ BAJAJ, 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.0181 dated 02.09.2019 under Sections 406, 420, 120-B Indian Penal Code, 1860, and under Section 24 Immigration Act, 1983 read with Section 13 of the Travel Professional Regulation Act, 2014, registered at Police Station Rama Mandi, District Police Commissionerate Jalandhar. 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 01.11.2019, whereby while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the petitioner is also a victim like the complainant, who had paid a sum of Rs.5 lacs to coaccused Avtar Singh and in that regard, a separate FIR bearing No.77 dated 18.06.2019 under Sections

406, 420 and 120-B IPC was got registered by him. He submits that the transaction of Rs.16 lacs allegedly deposited in the account of the petitioner by complainant, was further transferred in the account of Harpreet Singh @ Happy Samrai r/o village Barrian Kalan, District Hoshiarpur (accused No.5) and has referred to the accounts statements (Annexure P-3). It is pointed out that the alleged transactions pertain to the year 2018 and the FIR has been lodged after a long delay.

Notice of motion for 18.03.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

At this stage, Mr. Gulzar Mohd., Advocate has appeared and filed power memorandum of parties on behalf of the complainant. The same is taken on record.”

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 ASI Ravinder Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 01.11.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

30.07.2021

Vipin kumar

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