

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-51042-2019 (O&M)
Date of Decision:-2.8.2021

Narinder Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Parveen Sharma, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab,
assisted by SI Baldev Singh.

(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 vide FIR No.121 dated 23.7.2019 at Police Station Fatehgarh Sahib, District Fatehgarh Sahib under Sections 406, 420, 120-B and 506 of Indian Penal Code.
2. At the time of issuance of notice of motion on 2.12.2019, the following order was passed :

“It is contended by learned counsel for the petitioner that the case against the petitioner is totally concocted. In fact, the petitioner had some transaction with Pawan Kumar. However, that money was also returned to Pawan Kumar. So far as cheques of the petitioner are concerned, it is submitted that the petitioner had already lodged a DDR with the Police

regarding the said cheque going missing. If at all, Pawan Kumar has given the said cheques to the complainant, that is only misuse of the cheques by Pawan Kumar. Otherwise, the petitioner does not even know the complainant. Still further, it is submitted that in another case, the complainant himself has filed an affidavit that he had invested money owned and controlled by one Asit Sood. The complainant might have found that he is not getting his money back from Asit Sood, therefore, as a ploy to recover the same from the petitioner, the name of the petitioner has been dragged in this case.

Notice of motion for 24.03.2020.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from SI Baldev Singh, has informed that pursuant to interim directions issued by this Court the petitioner has since joined investigation and that he is not even wanted in any other case.
4. In view of the aforestated position, wherein the petitioner is stated to have joined investigation and is stated to have a clean record, his custodial interrogation is not warranted. The present petition, as such, is accepted and the interim directions issued by this Court vide order dated 2.12.2019 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.

2.8.2021

pankaj

Whether speaking /reasoned

Whether Reportable

Yes / No

Yes / No

(Gurvinder Singh Gill)
Judge