

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

203

**CRM-M-30879-2021
Date of decision: 11.05.2022**

BHUPINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM : HON'BLE MR. JUSTICE VINOD S. BHARDWAJ

Present:- Mr. Harneet Singh Oberoi, Advocate with
Mr. Nishad Ahuja, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

VINOD S. BHARDWAJ, J. (Oral)

The petitioner has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No. 136 dated 09.10.2020 registered under Sections 420 and 34 of the Indian Penal Code, 1860 and Section 24 of the Immigration Act at Police Station Mehtiana, District Hoshiarpur (Annexure P-1).

Learned counsel for the petitioner *inter alia* has submitted that pursuant to the order dated 06.08.2021 passed by this Court, the petitioner has joined investigation and has also deposited a sum of Rs.3,00,000/- by way of Demand Draft in favour of the Registrar General of this Court. A report in this regard is available on the Court file. He further submits that the petitioner is thus no longer required for custodial interrogation.

Learned State counsel does not dispute the said fact that the said petitioner has joined the investigation and an amount in

question had been deposited with this Court as well. She further submits that the custodial interrogation of the petitioner is required for effecting recovery of the money advanced by the complainant with the petitioner. She however does not dispute the fact that there is no specific identification details furnished by the complainant during the investigation on the basis whereof the recovery would be identified to the commission of the alleged offence. Hence, the delivery of the case property itself a matter that is required to be established. In any case, the transaction so made in the account shall have to be explained and the same is the subject matter of the trial.

Heard learned counsel for the parties.

In view thereof, the interim order dated 06.08.2021 is accordingly confirmed.

However, if required, the petitioner shall continue to join investigation as and when required to do so and shall abide by the terms and conditions, as laid down under Section 438 (2) Cr.P.C.

(VINOD S. BHARDWAJ)

JUDGE

MAY 11, 2022

Vishal sharma

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No