

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

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CRM-M-32203-2021(O&M)

Date of decision :23.08.2022

Kawaljit Singh @ Kanwaljit Singh

.....Petitioner

VERSUS

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE SANJAY VASHISTH

Present:- Mr. Shakti Mehta, Advocate, for the petitioner.

Mr. J. S. Arora, DAG, Punjab.

SANJAY VASHISTH, J. (Oral)

CRM No.8585 of 2022

This application has been filed for placing on record medical/fitness certificate dated 24.12.2021 issued by Dr. Harpreet Singh, Medical Officer, CHC, Bham, Tehsil Batala, District Gurdaspur as Annexure P-4.

Application is allowed, subject to all just exceptions.

Document Annexure P-4 is taken on record.

CRM-M-32203 of 2021

The prayer in the present petition filed under Section 438 of Cr.P.C., is for grant of anticipatory bail to the petitioner in a case FIR No.0052 dated 21.03.2021, under Sections 420, 120-B IPC 1860, registered at Police Station Chattiwind, District Amritsar Rural, Punjab (Annexure P-1).

On 24.03.2022, the following order was passed:-

“ Present petition has been filed under Section 438 Cr.P.C. seeking pre-arrest bail in case FIR No. 0052 dated 21.03.2021, under Sections 420 and 120-B IPC registered at Police Station Chattiwind, District Amritsar Rural, Punjab.

The FIR was lodged on the complaint of one Sakatar

Singh, who stated that his neighbour Bikramjit Singh introduced him to his maternal uncle namely, Gulab Singh. Gulab Singh in turn introduced the complainant to Manmeet Singh Manu(son of the petitioner), Jasbir Singh Sabi and Kanwaljit Singh (petitioner). Manmeet Singh Manu, Jasbir Singh Sabhi and Kanwaljit Singh (petitioner) assured the complainant that they would send him abroad. It is alleged that the complainant gave an amount of Rs. 4,20,000/- to Manmeet Singh Manu, jasbir Singh and the petitioner for sending him abroad. This amount was transferred into the accounts of the said persons details thereof were mentioned in the FIR. It is stated that accused arranged a fake tickets and visa, thereby, thecomplainant has been cheated.

Two status reports have been filed on behalf of the respondents. It is stated that during the investigation of the present case, the bank account of the complainant-Sakatar Singh was taken into possession. The details of the amount transferred from the account of Sakatar Singh into the account of Jasbir Singh, Prabhjot Singh @ Bittu and Manmeet Singh Manu have been mentioned. During the course of investigation another complaint was received from Bikramjit Singh, his bank account was also taken into possession and details of various amounts transferred from the account of Bikramjit Singh in the account of Manmeet Singh Manu have been given. From the Bank accounts it appears that an amount of Rs. 1,10,000/- has been transferred from the account of Sakatar Singh to the account of Manmeet Singh Manu (son of the petitioner); Rs. 1,15,000/- was transferred from the account of another complainant into the account of Manmeet Singh Manu (son of the petitioner); Rs. 4, 60,000/- has been transferred from the account of Sakattar Singh into the account of Jasbir Singh and Prabhjot Singh; Rs.2, 50,000/- was transferred from Palwinder Singh (father of Bikramjit Singh) into the account of Prabhjot Singh. Rs. 60,000/- was transferred from the account of Palwinder Singh

into the account of Jasbir Singh.

In view of the aforesaid, learned counsel for the petitioner has contended that no money has been transferred into the account of the petitioner. He states that the petitioner is serving in the Police Department. He has 30 years of service. He has been implicated only, being the father of Manmeet Singh Manu. He is ready and willing to cooperate with the investigation.

Adjourned to 24.05.2022.

Meanwhile, in the event of arrest, the petitioner shall be released on interim anticipatory bail to the satisfaction of the Arresting/ Investigating Officer, subject to the conditions provided under Section 438(2) Cr.P.C. Petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

Learned counsel for the petitioner submitted that in compliance of the aforesaid order, the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Bias Dev Singh, states that in view of the order dated 24.03.2022, petitioner has already joined the investigation and is no more required for further investigation of the case at this stage.

Keeping in view the facts and circumstances as above and submissions made hereinabove and statements of representing counsels but without commenting upon or expressing any opinion on the merits of the case, this petition is allowed. Consequently, order dated 24.03.2022, is made absolute.

Needless to say, the petitioner shall comply with the conditions stipulated under
Section 438(2) of Cr.P.C.

August 23, 2022
anil

(SANJAY VASHISTH)
JUDGE

<i>Whether speaking/reasoned :</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>