

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

CRM-M-38097-2022

Date of Decision: 15.09.2022

Pritpal Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Ravneet Singh Joshi, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. D.A.G., Punjab.

Mr. Kulwant Singh, Advocate,
for the complainant.

VIKAS BAHL, J. (Oral)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No. 69, dated 04.08.2022, under Sections 406/420/120-B of the IPC, Section 24 of the Emigration Act, 1983 and Section 13 of the Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station Sadar Raikot, District Ludhiana (Rural).

On 26.08.2022, this Court was pleased to pass the following order:-

“Inter alia contends that in the present case, the petitioner has been roped in only on account of being father of the main accused namely Khushaldeep Singh. It is further submitted that in the complaint dated 30.09.2021, the complainant has not even named the present petitioner and even as per the FIR, there are no allegations of fraudulent inducement levelled against the present petitioner. It is contended that in fact, the said

Khushaldeep Singh has been residing separately from the present petitioner since 01.06.2013 and with respect to the same, has referred to Ration Card dated 01.01.2011 (Annexure P-3) and the endorsement made on the same. It is further contended that in fact, the petitioner has disowned his son namely Khushaldeep Singh also and has got it published in newspaper namely Punjab Times on 01.09.2021 and with respect to the same, has referred to the newspaper cutting (Annexure P4). It is argued that although, in the FIR, there are no allegations against the petitioner but as per the police proceedings, it has been stated that five cheques of Rs.2 lacs each issued in the name of son of the petitioner have been handed over to the petitioner. It is further argued that the said cheques were never handed over to the petitioner and no receipt is there regarding the same and the said cheques were never credited into the account of the petitioner.

Notice of motion for 15.09.2022.

In the meantime, in the event of arrest, the petitioner shall 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. ”

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Gulab Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 26.08.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 26.08.2022 is ordered to be made

absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

September 15, 2022
nitin

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes/No
Yes/No