

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

205

CRM-M 54650 of 2021

Date of Decision:27.01.2022

Mandeep Singh Grewal

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Hitesh Ghai, Advocate,
for the petitioner.

Mr. M.S. Nagra, AAG, Punjab

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

Vide this petition, the petitioner seeks the concession of 'anticipatory bail' under the provisions of Section 438 of the Cr.P.C., upon FIR no.0169, dated 28.08.2021, having been registered at Police Station Bhawanigarh, District Sangrur, alleging therein the commission of offences punishable under Sections 420 and 120-B of the IPC, as also Section 13 of the Punjab Prevention of Human Smuggling Act, 2012.

On 29.12.2021 the following order had been recorded:-

“Learned counsel contends that Rs.24.80 Lakh was paid by the complainant to Simran @ Sandhya and Gagandeep Kaur and not to the petitioner and there are no allegations in the FIR implicating the petitioner in the commission of the offence, the petitioner has been implicated in the instant case solely on the basis of supplementary statement suffered by the complainant on 17.09.2021, alleging

connivance of the petitioner with the aforementioned accused, the petitioner does not have any other criminal case registered against him and is ready and willing to join investigation and to fully cooperate in the same.

Notice of motion.

Mr. Harbir Sandhu, AAG, Punjab, accepts notice on behalf of the respondent-State and while confirming the aforementioned factual position, requests for an adjournment to file reply.

Adjourned to 27.01.2022.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail, subject to his furnishing bail/surety bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner(s) shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated. ”

Today learned State counsel submits, on instructions from the investigating officer, i.e. ASI Bikar Singh, that the petitioner having joined investigation, his custodial interrogation is not required at this stage at least.

That being so, without making any comment whatsoever on the correctness of the contentions raised before this court on 29.12.2021, or otherwise, the petition is allowed, with the said order made absolute on the same terms and conditions.

Naturally, if the complainant is aggrieved in any manner, of lack of proper investigation, he would be always at liberty to avail of his remedy as per law.

January 27, 2022
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(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes
No