

Neutral Citation No.2023:PHHC:157309

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-2225 of 2022 (O&M)

Date of decision : 8.12.2023

...

Kuljit Singh

.....Petitioner

vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rahul Sharma, Advocate for the petitioner.

Mr. Mohit Kapoor, Additional Advocate General,
Punjab, for the respondent-State

Mr. Sanjeev Kumar Birla, Advocate for respondent No.2.

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MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. In case FIR No. 194 dated 31.12.2021 under Sections 420 of the Indian Penal Code, 1860, registered at Police Station Garhshankar, District Hoshiarpur.

2. Learned counsel for the petitioner has reiterated the submissions made on 19.1.2022, relevant part of which reads as under:-

“The learned counsel representing the petitioner contends that the real dispute between the parties is with respect to the liability to pay the tax deducted at source. He further submits that the first informant is a Non-

Resident Indian, therefore, 20% of the amount of the sale consideration is required to be deposited as tax deducted at source which is being opposed by the First Informant. He further submits that under the pressure of the police, the petitioner has been compelled to sign a compromise deed on 23.08.2021.”

Thereafter vide order of even date i.e. 19.1.2022, the petitioner was directed to join the investigation.

3. Learned counsel for the petitioner submits that in compliance of order dated 19.1.2022, the petitioner has joined the investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions of ASI Rashpal Singh, does not dispute the factum of the petitioner having joined the investigation and cooperated with the investigating agency. He on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 19.1.2022, is made absolute subject to the conditions laid down in Section 438 (2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

08.12.2023
chugh

(MANJARI NEHRU KAUL)
JUDGE

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