

2023:PHHC:074202

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

CRM-M-2751-2023

Date of Decision: 22.05.2023

HIMANSHU KAMBOJ

... PETITIONER

VS.

STATE OF PUNJAB

.. RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present : Mr. Tarun Kumar, Advocate, for the petitioner.
Ms. Ruchika Sabherwal, DAG, Punjab.

VIVEK PURI, J.(ORAL)

1. On 19.01.2023, the following order was passed:-

“The petitioner is seeking anticipatory bail in the case bearing FIR No. 0137 dated 05.10.2022 under Sections 406, 420 and 120-B IPC registered at Police Station Ghanaur, District Patiala.

Learned counsel for the petitioner contends that there are allegations to the effect that a sum of Rs.30 lac was deposited by the complainant in the account of SS Farm on the assurance that he was taken as partner to the extent of 1/3rd share. The petitioner is neither the partner of SS Farm nor any money was deposited in his account. Even JCB machine, car etc. that has been allegedly sold were in fact on rent with the aforesaid farm.

Notice of motion.

Ms. Ruchika Sabherwal, DAG, Punjab, accepts notice on behalf of the respondent.

Adjourned to 22.05.2023.

In the meanwhile, the petitioner is directed to join investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer/Arresting Officer subject to the conditions as envisaged under Section 438 (2) of Code of Criminal Procedure.”

2. Learned counsel for the petitioner contends that in pursuance of interim directions issued by this Court, the petitioner has joined the investigation.
3. Learned State counsel, on instructions from ASI Baljinder Singh, has not disputed the aforesaid factual aspect and further submits that custodial interrogation of the petitioner is not required.
4. Keeping in view the entire circumstances, sufficient grounds are made out to extend the concession of pre-arrest bail to the petitioner. Accordingly, order dated 19.01.2023, vide which the petitioner has been granted interim bail, is made absolute.
5. Petition is allowed.

22.05.2023
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(VIVEK PURI)
JUDGE

Whether speaking/reasoned : Yes/No
Whether Reportable : Yes/No