

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.12782 of 2021
Date of decision: 25th August, 2023

Hardev Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Shakti Mehta, Advocate for
Mr. Vipul Sachdeva, Advocate for the petitioner.
Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.
Mr. Armaan Gagjena, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.0049 dated 18.03.2020 under Sections 420, 465, 468, 471, 120-B IPC registered at Police Station Kotbhai, District Shri Muktsar Sahib.

2. On 22.04.2021, while noticing the following submissions made by learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner contends that the complainant has falsely implicated the petitioner and it is evident from the fact that his another son is also engaged in the business of sending persons abroad. According to him,

*as there was a business dispute between the parties,
therefore, the complainant has lodged this false case.”*

3. Learned counsel appearing on behalf of the petitioner submits that in compliance of the order dated 22.04.2021, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Malkeet Singh, does not dispute the factum of the petitioner having joined 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 the circumstances, the petition is allowed and the interim order dated 22.04.2021 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.

(MANJARI NEHRU KAUL)
JUDGE

August 25, 2023
rps

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