

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211

CRM-M-21795-2023

Date of decision: 09.10.2023

Partap Rai @ Partap Rai Chauhan @ Laddi ChauhanPetitioner

Versus

State of PunjabRespondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Navkiran Singh, Advocate
for the petitioner.

Mr. Mohit Kapoor, Addl. A.G., Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.81 dated 25.02.2023 under Sections 386, 120-B of the IPC [Sections 353, 201 of the IPC and Section 4 of the Prevention of Money Laundering Act, 2002 (for short, 'PMLA') added lateron] registered at Police Station City Faridkot, District Faridkot.

2. On 01.05.2023, learned counsel for the petitioner has made the following contentions:-

“Learned counsel for the petitioner submits that on the face of it, a false and fabricated case has been planted upon the petitioner, who happens to be a Jeweller. While drawing attention of this Court to the FIR, which has been annexed as Annexure P-1, learned counsel submits that on the one hand, it had been alleged therein that secret information had been received qua the petitioner and some other persons of extorting money from innocent people by intimidating them, however, strangely just a day after the registration of the FIR, in an application moved for issuance of warrants of search of the house of the petitioner, the police had stated that one Dr. Deepak Kumar Goyal had got his statement recorded that on

20.02.2023, a ransom call through whatsapp had been received by him in which a demand of sum of Rs.5,00,000/- was made from him.”

3. Thereafter this Court, vide order dated 10.05.2023, had granted the concession of interim bail to the petitioner and asked him to join investigation

4. Learned counsel for the petitioner submits that in compliance of order dated 10.05.2023, the petitioner has joined investigation and cooperated with the investigating agency.

5. Short reply by way of affidavit of Aaswant Singh, PPS, Deputy Superintendent of Police, Sub Division, Faridkot, has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been supplied to the counsel opposite.

6. Learned State counsel, on instructions from ASI Gurbax Singh, does not dispute that the offence under Section 4 of the PMLA stands deleted from the FIR in question. Learned State counsel, on further instructions, submits that in compliance of order dated 10.05.2023, the petitioner has joined investigation and cooperated with the investigating agency and, thus, is not required for further investigation much less for his custodial interrogation.

7. In view of the above, the petition is allowed and interim order dated 10.05.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

09.10.2023

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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