

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26889-2023 (O&M)
Date of decision : 25.07.2023

Gurmeet Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. S.R.S.Mallhi, Advocate for the petitioner.

Mr. Gurlal Singh Dhillon, AAG, Punjab for the respondent.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.111 dated 12.10.2022, under Sections 406 & 420 of the Indian Penal Code, 1860 (*for short 'the IPC'*), registered at Police Station Banur, District Patiala.

(2) It transpires that above FIR was registered on the basis of statement made by complainant-Harvinder Singh to the effect that petitioner

along with other co-accused defrauded the petitioner to the tune of Rs.5,50,000/- for sending him abroad.

(3) This Court, vide order dated 03.07.2023, granted interim bail to petitioner and the same reads as under:-

“Contends that co-accused with similar allegations has already been granted the concession of pre-arrest bail by the Co-ordinate Bench vide order dated 23.03.2023 (P-1).

Learned State counsel seeks time to have instructions in the matter and/or file an affidavit of the officer concerned.

Posted on 25.07.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.”

(4) Learned counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.

(5) The above factual position is duly acknowledged by learned State Counsel, on instructions from the police official concerned and further stated that custodial interrogation of the petitioner is not required at this stage.

(6) In view of above, interim order dated 03.07.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(7) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

(9) Disposed off accordingly.

July 25th, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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