

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

CRM-M-23883-2023 (O&M)

Date of decision : 21.09.2023

Gurpreet Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. B.B.S.Randhawa, Advocate for the petitioner.

Mr. Joginder Pal Ratra, DAG, 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.3 dated 04.01.2023, under Section 420 of the Indian Penal Code, 1860 and Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014, registered at Police Station Sadar Gurdaspur, District Gurdaspur.

(2) Above FIR was registered on the basis of application moved by complainant-Gurnam Singh to the effect that petitioner along with other co-accused cheated Rs.3,60,000/- for sending his son-Preet Singh abroad. Neither accused sent his son abroad; nor the amount has been returned to them. Hence, the present FIR.

(3) The Co-ordinate Bench, vide order dated 18.05.2023, granted interim bail to petitioner and the same reads as under:-

“Learned counsel for the petitioner inter alia submits that the dispute between the complainant and the petitioner is only based on return of some loan amount which as per the learned counsel, the petitioner has already returned and the same thus pertains to civil dispute.

Notice of motion for 12.09.2023.

In the meanwhile, petitioner will join investigation before the Investigating Officer as and when called. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of 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) Learned State Counsel, on instructions from ASI Charanjeet, submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.

(6) In view of above, interim order dated 18.05.2023 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.
- (10) Pending application(s), if any, shall also stand disposed off.

September 21st, 2023
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

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