

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

207

CRM-M-25133-2022

Date of decision: 07.11.2023

Pawan Kumar alias Kaka

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL**

Present : Mr. Arshdeep Singh Viridi, Advocate for  
Mr. Vipin Mahajan, Advocate  
for the petitioner.

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

Mr. Prince Pasricha, Advocate  
for the complainant.

\*\*\*\*

**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.110 dated 22.05.2022 under Sections 420, 506, 465, 466 of the Indian Penal Code, 1860 registered at Police Station City Gurdaspur, District Gurdaspur.

2. On 02.06.2022, while noticing the following submissions made by the 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 has submitted that in present case a bare perusal of the FIR would show that it is a pure and simple case of not returning the money and, therefore, it is a civil dispute He further submitted that the lodging of the FIR itself is an abuse of process of law.”*

CRM-M-25133-2022

3. Learned counsel for the petitioner submits that in compliance of order dated 02.06.2022, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, 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 view of the above, the petition is allowed and interim order dated 02.06.2022, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

07.11.2023  
Vinay

(MANJARI NEHRU KAUL)  
JUDGE

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