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

CRM-M-34780-2023 (O&M)

Date of decision : 17.08.2023

Varinder Singh

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Puja Chopra, Advocate,
for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab,
assisted by ASI Dharminder Singh.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 (for short, '*the Cr.P.C.*') has been filed for grant of pre-arrest bail to the petitioner in FIR No.67 dated 22.05.2023, under Section(s) 406, 420, 120-B, 506 of the Indian Penal Code, 1860 (for short, '*the IPC*'); and Section 13 of the Punjab Travel Professionals' (Regulation) Act, 2012, registered at Police Station Civil Lines, Patiala, District Patiala.

2. Above FIR was registered on the basis of statement made by one Saminder Kumar Sharma, with the allegations that petitioner along with other co-accused cheated the complainant of Rs.16.00 lakh, on the pretext of sending his son abroad.

3. This Court, on 21.07.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Learned State counsel seeks more time to file a short affidavit regarding status of investigation.

Posted on 17.08.2023.

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 Code of Criminal Procedure, 1973.”

4. Contends that in terms of t0068e aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.

5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 21.07.2023 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.

17.08.2023
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

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