

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-42320-2022 (O&M)

Date of decision: 21.08.2023

Paramjit Lal

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Kuljinder Singh, Advocate for
Mr. Sanjeev K. Virk, Advocate for the petitioner

Mr. Manipal Singh Atwal, DAG Punjab

Mr. Rakesh Gupta, Advocate for the complainant

AMAN CHAUDHARY. J.

1. On 15.09.2022, this Court had passed the following order:-

“Apprehending his arrest in FIR No.92 dated 2.7.2022 for offences punishable under Sections 420, 120 IPC, 1860 registered at Police Station Daresi, District Ludhiana, the petitioner has preferred this petition under Section 438 Cr. P.C seeking pre-arrest bail.

Learned counsel for the petitioner inter alia contends that the amount is alleged to have been transferred to the account of one Satwinder Singh and not to the petitioner. He further relies upon the order passed by this Court in **CRM-M-40892-2022 Nidhi Vs. The State of Punjab** whereby the co-accused Nidhi has been granted interim protection.

Notice of motion.

On the asking of the Court Mr. Sarabjit Singh Cheema, DAG., Punjab who is present in Court accepts notice.

Mr. Rakesh Gupta, Advocate has put in appearance on behalf of the complainant and filed his Memo of Appearance. The same is taken on record. He submits that infact the petitioner and other co-accused have formed a gang and are habitual offenders. He prays for time to file reply.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. As and when called, the petitioner shall join the investigation. They shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.

To come up on 20.12.2022.”

2. Learned counsel submits that in pursuance of the afore-mentioned order, the petitioner has not only joined investigation but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

3. Learned State counsel on instructions from SI Sukhdev Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 15.09.2022 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C.

5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

August 21, 2023
M.Kamra

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