

219 **IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH**

CRM M-34944-2023 (O&M)
Date of Decision: 18.08.2023

Jatinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G. S. Bajwa, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU. J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioner in FIR No.23 dated 17.05.2023, under Section 420 of the Indian Penal Code, 1860 (Sections 465, 467, 468, 471 and 120-B of the Indian Penal Code, 1860 added later on) registered at Police Station Airport, District Amritsar.

2. On the basis of complaint moved by Immigration Officer Sh. Guru Ramdas, International Airport, Amritsar, instant FIR was registered with the allegations that during the departure clearance of Manpreet to Dubai, it was found that the Viza pasted on his passport was forged. Manpreet was arrested on the spot and on the basis of disclosure made by him, petitioner was nominated in the present case.

3. This Court vide order dated 21.07.2023, granted interim bail to petitioner and the same reads as under:-

“Contends that the petitioner has not been named in the FIR; rather he was nominated on the basis of disclosure made by co-accused Manpreet. Also contends that there is no other criminal case pending against the petitioner.

Notice of motion.

On the asking of the Court, Mr. Jaiteshwar S. Bhandari, AAG, Punjab, accepts notice on behalf of respondent-State and seeks time to verify the above factual position.

Posted on 18.08.2023.

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. Learned counsel on instructions from petitioner submits that in pursuance of the aforesaid order, he joined investigation and his custodial interrogation is not required by the Police.
5. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted 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.
- 10. Pending criminal misc. application(s), if any, shall also stand disposed off.

18.08.2023
SN/Mehak

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable: Yes/No