

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

CRM-M No.37761 of 2022
Date of decision: 27th February, 2023

Shamsher Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Nirmaljeet S. Sidhu, Advocate for the petitioner.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.75 dated 21.07.2022 under Sections 406, 420, 120-B IPC registered at Police Station Payal, District Ludhiana.

Vide order dated 29.08.2022, in the following terms the petitioner had been granted concession of interim bail:

“Learned counsel for the petitioner submits that infact the allegations are mainly against Amandeep Kaur, who is stated to be travel agent, and also against petitioner’ brother Manjinder Singh. Learned counsel submits that the complainant has made an effort to rope in the entire family and has named the petitioner also in the FIR by stating that an amount of Rs.50,000/- had been passed on to Manjinder Singh by the complainant at the shop of petitioner.

Learned counsel for the petitioner further submitted that there is nothing on record to show that the petitioner had benefited from any amount stated to have been paid by the complainant and that the only allegation is that the amount had been passed through the petitioner. It has been submitted that the aforesaid kind of allegation had been made just to falsely implicate the petitioner. It has further been submitted that there is no bank transaction to show that any amount had been credited in the petitioner's account."

Learned counsel for the petitioner submits that in compliance of the order dated 29.08.2022, the petitioner has joined the investigation and cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Sukhwinder Singh, does not dispute the factum of the petitioner having joined the 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.

In the circumstances, the petition is allowed and the interim order dated 29.08.2022 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

February 27, 2023

rps

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No