

CRM-M-37610-2023 (O&M)

-1-

213 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-37610-2023 (O&M)
Date of decision : 22.11.2023

Ramandeep Singh Bhullar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present : Mr. P.K.S.Phoolka, Advocate,
for the petitioner.

Mr. C.L.Pawar, Additional Advocate General, Punjab,
for the respondent.

Mr. Nirmaljeet Singh Sidhu, Advocate,
for the complainant.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973, has been filed for grant of pre-arrest bail to the petitioner in FIR No.0107 dated 09.06.2023, under Sections 420 and 406 of the Indian Penal Code, 1860, registered at Police Station Talwandi Sabo, District Bathinda.

2. Above FIR was registered on the basis of statement made by one Major Singh with the allegations that petitioner in connivance with his companion had committed fraud of Rs.8,00,000/- on the pretext of giving him half share of profit on investment in the Cafe.

3. This Court, on 03.08.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

“Contends inter-alia that civil suit No. CS/33/2023 (P-2) at the instance of petitioner is already pending between the parties.

Notice of motion for 05.09.2023.

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.

At this stage, Mr. Nirmaljeet Singh Sidhu, Advocate, appears on behalf of the complainant.”

4. Contends that in terms of the 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 SI Chamkaur Singh, and further stated that custodial interrogation of the petitioner is not required at this stage.
6. On the other hand, learned counsel for the complainant vehemently opposed the prayer of petitioner. Since learned State counsel is not asking for custodial interrogation of petitioner, therefore, the objection raised by learned counsel for the complainant is overruled; hence, rejected.
7. In view of the above, interim order dated 03.08.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

CRM-M-37610-2023 (O&M)

-3-

8. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
9. 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.
10. Disposed off accordingly.

22.11.2023
adhikari

(MAHABIR SINGH SINDHU)
JUDGE

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