

ITEM NO.217

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

2023:PHHC:164993  
CRM-M-39520 of 2023 (O&M)  
Date of decision : 21.12.2023

Yadwinder Singh

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr.Dheeraj Kumar, Advocate, for the petitioner.

Mr.C.L.Pawar, Addl.Advocate General, Punjab.

**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.73 dated 28.03.2023, under Section 420 IPC, registered at Police Station City-II, Mansa, District Mansa.

2. Allegations are that the petitioner duped the complainant on the pretext of sending his son abroad and received ₹2 lakhs; but neither he sent the complainant's son abroad; nor returned the money.

3. This Court, on 18.08.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

*“ Let notice be issued to the newly added respondent for 14.09.2023.*

*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.”*

- 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 ASI Pargat Singh and further stated that custodial interrogation of the petitioner is not required at this stage.
- 6. In view of above, interim order dated 18.08.2023 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 applications(s), if any, shall also stand disposed off.

21.12.2023  
Meenu/Gaurav

(MAHABIR SINGH SINDHU)  
JUDGE

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