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

**CRM-M-42549-2023 (O&M)
Date of decision : 21.09.2023**

Karnail Singh

...Petitioner(s)

Versus

State of Punjab and another

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Suneet Pal Singh Aulakh, Advocate
for the petitioner.

Mr. Amish Sharma, AAG, 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.0139 dated 31.12.2022, under Sections 120-B, 406 & 420 of the Indian Penal Code, 1860 (for short, '*the IPC*'), registered at Police Station Urban Estate, District Patiala.

2. Above FIR was registered on the basis of statement made by one Nagar Singh with the allegations that petitioner along with other co-accused duped the complainant of Rs.12,00,000/- on the pretext of selling a residential house.

3. This Court, on 28.08.2023, granted interim bail to petitioner and relevant part of the same is recapitulated as under:-

*“Contends that petitioner is not party to the alleged
agreement to sell (P-2).*

Notice of motion for 21.09.2023.

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 the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 28.08.2023 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.

21.09.2023

jasmine kaur

**(MAHABIR SINGH SINDHU)
JUDGE**

Whether speaking / reasoned :

Yes

No

Whether Reportable :

Yes