

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

236

CRA-S-1904-2022

Date of Decision: 10.03.2023

Bishamber Lal

...Appellant

Versus

State of Punjab and Another

...Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present:- Mr. Balbir Singh Jaswal, Advocate for the appellant

Mr. Shiva Khurmi, AAG, Punjab

JAGMOHAN BANSAL, J. (ORAL)

On 30.09.2022, the following order was passed:-

“By referring to complaint, Annexure P-1 filed under Section 138 of Negotiable Instruments Act, 1881, counsel for the appellant submits that there is a financial dispute between the appellant and husband of the complainant-respondent No.2 and allegations levelled by the complainant in the FIR (Annexure P-7), are false.

Notice of motion.

On asking of the Court, Mr. P.S.Grewal, DAG, Punjab accepts notice on behalf of respondent-State.

Appellant is directed to join investigation on 11.10.2022 at 10.00 a.m., at Police Station Beas, District Amritsar Rural and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

Respondent No.2 be served for 20.02.2023.”

Learned State counsel submits that the appellant has already

joined investigation and no custodial interrogation is required.

The respondent No.2 stands duly served, however, there is no representation of respondent No.2.

In the above backdrop, the appeal is allowed and the interim bail granted to the appellant vide order dated 30.09.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

If the appellant or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and Trial Court shall proceed without being prejudiced by observations of this Court.

(JAGMOHAN BANSAL)
JUDGE

10.03.2023

Mohit Kumar

Whether speaking/reasoned *Yes/No*

Whether reportable *Yes/No*