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

CRM-M-46612-2022 (O&M)

Date of Decision: 19.01.2023

PARAMPAL SINGH

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. AG, Punjab.

HARSH BUNGER, J. (Oral)

Prayer in the present petition filed under Section 438 Cr.P.C is for grant of concession of anticipatory bail to the petitioner in case FIR No.121 dated 28.06.2022 registered under Section 420 of IPC, 1860 and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014 at Police Station Beas, District Amritsar Rural.

On 07.10.2022, the following order was passed by this Court :-

“Through instant petition under Section 438 of Code of Criminal Code, 1973, the petitioner is seeking anticipatory bail in FIR No. 121 dated 28.6.2022 registered at Police Station Beas, District Amritsar Rural under Section 420 of IPC and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014.

Learned counsel for the petitioner contends that petitioner has filed civil suit which is pending before learned Civil Judge (Junior

Division) Baba Bakala, District Amritsar seeking the return of two cheques which he has handed over as security cheques. By order dated 13.10.2021, learned Civil Judge (Junior Division) has ordered to proceed ex parte against one complainant who intentionally avoided service and summons issued to another complainant were received back with the report of 'refusal'.

Notice of motion.

On the asking of the Court Mr. Kirat Singh Sidhu, DAG, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 19.1.2023.

Petitioner is directed to appear before the Investigating Officer at Police Station Beas, District Amritsar Rural on 14.10.2022 at 10:00 A.M. and join the investigation and would appear as and when summoned by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on 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.”

Learned counsel for the petitioner submits that pursuant to the aforesaid order, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Harjinder Singh has not disputed the aforesaid fact of joining the investigation by the petitioner and submits that his custodial interrogation is not required at this stage.

Heard learned counsel for the parties.

Since the petitioner has joined the investigation and his custodial interrogation is not required at this stage, the present petition is allowed and the ad-interim order dated 07.10.2022 passed by this Court is made absolute.

However, the petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) Cr.P.C.

It is made clear that if the petitioner fails to comply with any of the directions made above and the bail conditions, the State would be at liberty to move an application for cancellation of this anticipatory bail granted to the petitioner.

Nothing expressed here-in-above shall be construed to be an observation on merits of the case and the facts and circumstances recorded above are only for consideration of the prayer for anticipatory bail at this stage.

The petition is accordingly disposed of.

19.01.2023
Amandeep

(HARSH BUNGER)
JUDGE

Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No