

**205 IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH****CRM M-48159-2022 (O&M)****Date of Decision: 27.07.2023**

Daljit Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

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

Present: Mr. Satyam Arora, Advocate for  
Mr. C.M. Munjal, Advocate,  
for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG Punjab.

**MAHABIR SINGH SINDHU. J.**

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short “Cr.P.C”) for grant of pre-arrest bail to the petitioner in FIR No.114 dated 22.05.2022, under Sections 419, 420, 511, 170 and 120-B IPC and Section 66-D of Information and Technology Act registered at Police Station City, Sri Muktsar Sahib.

2. Allegations against the petitioner are that he made a telephonic call to the complainant that Judge Sahib (impersonated person) will speak to him.

3. The Coordinate Bench vide order dated 18.10.2022, granted interim bail to petitioner and the same reads as under:-

*“Prayer is for grant of anticipatory bail in case having FIR No.114 dated 22.5.2022 registered under Sections 419, 420, 511, 120-B IPC and 66-D of IT Act (Offences under Sections 420 and 511 IPC deleted and offence under Section 170 IPC added later on) at Police Station City Sri Muktsar Sahib District Sri Muktsar Sahib.*

*The counsel for the petitioner submits that the petitioner is Government Employee and presently is working as Reader to SDM, Girdderbaha and that the main allegations in the FIR are against Sandeep Behal, Agricultural Development Officer, Sri Musktsar Sahib, who is already placed under suspension. The counsel for the petitioner submits that the petitioner never impersonated as a Judicial Magistrate or made any telephone call posing himself to be Judicial Magistrate.*

*Notice of motion.*

*On the asking of the Court, Mr. Chaman Lal Pawar, Addl. A.G. accepts notice on behalf of State and has not refuted the fact that the present FIR is lodged on the basis of complaint made by Varinder Kumar and he seeks time to have instructions as to whether any litigation of said Varinder Kumar is pending in judicial Courts at Sri Muktsar Sahib or Girdderbaha.*

*In view of above, in case of arrest, the petitioner is directed to be released on interim bail by the Investigating Officer/Arresting Officer subject to his own satisfaction. The petitioner should join investigation with the police well in time before the next date of hearing and to abide by the conditions envisaged under Section 438 (2) Cr.P.C.*

*The report of the Investigating Officer be also called in this context on the next date of hearing.”*

4. Learned counsel on instructions from petitioner submits that in pursuance of the aforesaid order, he joined investigation and his custodial interrogation is not required by the Police.

5. The above factual position is duly acknowledged by learned State Counsel, on instructions from quarter concerned and fairly submitted that custodial interrogation of the petitioner is not required at this stage.

6. In view of above, interim order dated 18.10.2022 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 criminal misc. application(s), if any, shall also stand disposed off.

27.07.2023  
SN

(MAHABIR SINGH SINDHU)  
JUDGE

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