

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

212 CRM-M-1651-2024
Date of Decision : March 11, 2024

GURDEEP SINGH -PETITIONER

V/S

STATE OF PUNJAB -RESPONDENT

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present: Mr. Ashok Paul Batra, Advocate
for the petitioner.

Mr. Pardeep Bajaj, D.A.G., Punjab.

KULDEEP TIWARI, J. (ORAL)

1. On 15.01.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“Through the instant petition filed under Section 438 Cr.P.C., prayer is made for grant of anticipatory bail to the petitioner in case FIR No.212 dated 24.09.2023, under Sections 406, 420, 467, 468, 471 and 120-B of the IPC and under Section 24 of the Immigration Act, registered at Police Station Kharar, District SAS Nagar.

Learned counsel for the petitioner submits that one Harjinder Singh made a complaint to the Senior Superintendent of Police, SAS Nagar, Mohali, that he has been duped of a sum of Rs.32.00 lakhs by the petitioner and other co-accused in the pretext of sending his son abroad. A perusal of the FIR reveals that the only allegation against the petitioner is that he stood as a guarantor for the money which was given to the co-accused, who committed fraud upon the complainant in the pretext of sending the son of complainant abroad.

He further submits that Rs.7.00 lakhs, which the present petitioner had transferred through his bank account, to the account of the main accused-Karamjit Singh Deol, has been returned to the complainant.

He further submits that the petitioner's liability was only to the extent of, being stood as a guarantor, and in good faith he had given cheque to save the main accused.

He further submits that now the prosecution agency instead of taking action against the main accused, is after petitioner's blood.

Notice of motion.

On the asking of the Court, Ms. Navreet Kaur, AAG, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 11.03.2024.

In the meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 438(2) of the Cr.P.C. ”

2. Today, the learned State counsel, on instructions imparted to him by A.S.I. Jasvir Singh, has stated that pursuant to the making of the hereinabove extracted order, the petitioner had joined investigation and he is no longer required for custodial interrogation.
3. In view of the above, the hereinabove extracted interim order dated 15.01.2024, as made by this Court, is made hereby absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.
4. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.
5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

March 11, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No