

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.2092 of 2024
Date of decision: 7th May, 2024

Sarabjit Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Sonu, Advocate for
Mr. Ankit Rana, Advocate for the petitioner.

Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.224 dated 16.11.2023 (Annexure P-1) under Sections 406, 420 of the IPC and Section 24 of the Immigration Act, registered at Police Station Dasuya, District Hoshiarpur.

2. On the last date of hearing, i.e. 05.02.2024, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner has reiterated the submissions made on 15.01.2024 that a false and fabricated case has been planted upon the petitioner for having allegedly lured the complainant into parting with

approximately ₹ 6.50 lakhs on the pretext of sending him abroad. He has further submitted that it is essentially a civil dispute between the parties which has been given a criminal complexion. Learned counsel has also submitted that an amount of ₹ 50,000/-, which was paid to the petitioner by the complainant by way of a bank transaction, has since been returned to him.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 05.02.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Avtar Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 05.02.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

May 7, 2024
rps

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