

2024:PHHC:049376

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

209

CRM-M-2989-2024
Date of Decision : April 10, 2024

HARWINDER SINGH

.....Petitioner

VERSUS

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Mohit Sadana, Advocate
for the petitioner.

Mr. Raghav Garg, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. On the last date of hearing, i.e. 20.1.2024, the following order was passed:-

“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.226 dated 18.12.2023 under Sections 420, 406 of IPC, registered at Police Station City 1, Sangrur, District Sangrur.

The allegations against the petitioner are that he defrauded the complainant for a sum of ₹5,90,000/-, on the pretext of providing job to the son of the complainant, but failed to fulfill the promise. The petitioner had issued three cheques to discharge his liability, however, all the three cheques were subsequently dishonoured.

Learned counsel for the petitioner submits that infact the petitioner had taken a friendly loan way back in the year 2018 and he was unable to return the loan

because of which he gave three cheques to the complainant. He further submits that the cheques, which were given and subsequently got dishonoured, the petitioner is facing a criminal complaint under Section 138 of the Negotiable Instruments Act in the same.

Notice of motion for 10.4.2024.

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

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 ASI Manoj Kumar, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is not required for any further custodial investigation.

3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 20.1.2024 is, hereby, made absolute subject to the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(KULDEEP TIWARI)
JUDGE

April 10, 2024
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Whether speaking/reasoned.	:	Yes/No
Whether Reportable.	:	Yes/No