

CRM-10565-2024 in/and
CRM-M-6411-2024

149+275 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-10565-2024 in/and
CRM-M-6411-2024 (O & M)
Date of decision: 18.03.2024

BACHITER SINGH
V/S
...PETITIONER

STATE OF PUNJAB
...RESPONDENT

CORAM: HON’BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Sarju Puri, Advocate
for the petitioner.

Mr. Rishabh Singla, AAG, Punjab.

Mr. Parveen Chauhan, Advocate for the complainant.

HARPREET SINGH BRAR J. (ORAL)

CRM-10565-2024

Learned counsel for the petitioner wishes to withdraw the present
application.

Dismissed as withdraw.

MAIN CASE

By way of present petition filed under Section 438 Cr.P.C.,
petitioner prays for grant of pre-arrest bail in case FIR No.35 dated 17.05.2022
registered under Sections 420, 120-B IPC at Police Station City Balachaur,
District SBS Nagar.

2. On 07.02.2024, following order was passed:

*“By way of present petition filed under Section
438 Cr.P.C., petitioner prays for grant of pre-arrest bail in
case FIR No.35 dated 17.05.2022 registered under Sections
420, 120-B IPC at Police Station City Balachaur, District SBS*

Nagar.

FIR has been lodged on the complaint of Rachhpal Singh, as per which, he has been duped by the petitioner and the co-accused to the tune of `8,50,000/- on the pretext of sending him abroad.

Learned counsel for the petitioner rightly pointed out that as per the FIR, the main allegations are against co-accused Simranjit Kaur, the only attribution to the petitioner is that some of the amount was deposited in the his account. Learned counsel further contends that the petitioner never came in contact with the complainant and so there was no representation on behalf of the petitioner to the complainant.

Notice of motion.

Mr. Karunesh Kaushal, AAG, Punjab, accepts notice on behalf of the respondent- State. Copy of the petition be supplied to him during course of the day.

Adjourned to 18.03.2024 for filing status report.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

3. Mr. Parveen Chauhan, Advocate has put in appearance on behalf of the complainant and filed his *vakalatnama*, which is taken on record. Registry is directed to tag the same at the appropriate place.

4. Learned State counsel assisted by learned counsel for the complainant, on instructions from ASI Lakhvir Singh, submits that in compliance of order dated 07.02.2024, passed by this Court, the petitioner has joined the investigation and is not required for further custodial interrogation.

5. Keeping in view the statement made by learned State Counsel the order dated 07.02.2024, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C.
6. The petition is accordingly allowed.
7. Nothing observed hereinabove shall be construed as expression of opinion of this Court on merits of the case and trial Court shall proceed without being prejudiced by observations of this Court.

March 18, 2024
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(HARPREET SINGH BRAR)
JUDGE

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|------|---------------------------|--------|
| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |