



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

CRM-M No.11818 of 2024
Date of decision: 29th May, 2024

Haswinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Sahil Kumar, 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.0004 dated 02.01.2024 for the offences under Sections 406, 420 of the IPC registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib.

2. On the last date of hearing, i.e. 06.03.2024, 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 inter alia contends that a perusal of the allegations leveled in the FIR in question reveals that the only role attributed to the petitioner is that as and when money was handed over to the co-accused by the complainant, the petitioner was present with him. It has been further submitted that no amount of money was either



deposited in his bank account or handed over by the complainant, nor did the petitioner induce/lure the complainant to part with money on the pretext of sending him abroad.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 06.03.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, has not disputed the factum of the petitioner having joined investigation, however, it has been submitted that the petitioner is a man of criminal antecedents, which fact has been withheld from this Court.

5. Mr. Pankaj Bali, Advocate puts in appearance and files his power of attorney on behalf of complainant. He submits that there are multiple complaints against the petitioner, wherein he has duped innocent persons of large amount of money on the pretext of sending them abroad.

6. However, learned counsel for the petitioner submits that there had been no concealment with respect to the criminal antecedents of the petitioner, as FIR No.0025 dated 26.03.2024 was lodged only after this Court had granted him interim bail. Learned counsel has further asserted that even as per the complainant, no money had been handed over to the petitioner and the only allegation against him was of



being present when the co-accused was handed over an amount of ₹34.00 lacs.

7. Learned State counsel, on instructions, does not dispute the submissions made by the learned counsel for the petitioner.

8. In the circumstances, the petition is allowed and the interim order dated 06.03.2024 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 29, 2024
rps

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