

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

**Neutral Citation No. 2024:PHHC:008609
CRM-M-13332-2023**

Date of Decision: January 23, 2024

Randeep Singh Sandhu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. G.S. Thind, Advocate for the petitioner.

Mr. Anmol Singh Sandhu, AAG, Punjab.

Mr. R.K. Samyal, Advocate for the complainant.

DEEPAK GUPTA, J.(Oral)

On 16.03.2023, following order was passed by this Court:-

“Instant petition has been filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case FIR No.37 dated 12.2.2023 under sections 420, 120-B I.P.C registered at Police Station, Civil Lines, District Bathinda.

Learned counsel for the petitioner has contended that the petitioner has been falsely implicated in the present case. It is submitted that the petitioner introduced the complainant with the main accused. He submits that petitioner has no complicity in the alleged offence. He further submits that petitioner approached the court concerned for grant of anticipatory bail and the same was granted vide order dated 17.2.2023, however, the investigating agency did not allow him to join investigation and resultantly his bail was cancelled on 10.3.2023. It is submitted that no case for custodial interrogation of the petitioner is made out and he is ready to join the investigation.

Notice of motion.

On the asking of the court, Mr. Sandeep Kumar, DAG, Punjab accepts notice on behalf of respondent-State and Mr. R.K. Samyal, Advocate accepts notice on behalf of the complainant.

Learned counsel for the complainant has vehemently opposed the submissions made by counsel for petitioner and submits that the petitioner is the mastermind of the alleged offence.

On the other hand, learned State counsel on instructions from HC

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Jagdev Singh has not disputed the fact that petitioner was granted interim bail by the court concerned, however, the petitioner did not join investigation.

In view of the above position, petitioner is directed to join investigation in the concerned police station on 17.3.2023.

List on 12.7.2023.

In the meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation before the Investigating Agency/Officer. He shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C:-

(i) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.

(ii) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iii) That the petitioner shall not leave India without prior permission of the court.”

2. It is contended by learned State counsel that the petitioner has since joined the investigation. Learned State counsel also informs that he has not got the recovery effected. At this stage, learned counsel for the petitioner contends that in fact the payment was not made to the petitioner; rather it was made to co-accused Harjinder.

3. The said fact is not disputed by learned counsel for the complainant, though he contends that petitioner was master mind of the alleged offence.

4. In view of the aforesaid facts and circumstances, the order dated 16.03.2023, whereby the petitioner was granted interim anticipatory bail, is hereby made absolute. However, he shall continue to join investigation, if and so required by the Investigating Officer.

Disposed of.

January 23, 2024
sarita

(DEEPAK GUPTA)
JUDGE

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