

Neutral Citation No.2024:PHHC:050744
-1-

CRM-M-15779-2024
Date of decision: 16.04.2024

...Petitioner

STATE OF PUNJAB

....Respondent

Present:- Mr. Jagtar Singh Sidhu, Advocate
for the petitioner.

Mr. Japjot Singh, AAG, Punjab.

• • • • •

SANJIV BERRY, J. (ORAL)

Reply dated 16.04.2024 in the form of an affidavit of Deputy Superintendent of Police, NRI Wing, Sub Division, District Jalandhar-II has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

2. By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
06	16.02.2024	420, 406 IPC	NRI Hoshiarpur, Punjab.

3. Learned counsel for the petitioner submits that in compliance to the order dated 01.04.2024, the petitioner has joined the investigation.

4. During the course of hearing on 01.04.2024, following order had been passed: -

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case without any basis. He contends that as per the allegations in the FIR, brother of the petitioner had sent Rs. 70.00 lacs in the account of his sister who then withdrew the same and paid to the petitioner from which the property was purchased vide sale deed dated 09.02.2011. He contends that the complainant had been visiting India thereafter on a number of occasions but never raised any objection qua the same and after 13 years thereof, with mala fide intention had got the instant FIR registered.

3. Learned counsel for the petitioner further contends that the petitioner is not having any criminal antecedents and is ready to join investigation.

4. Notice of motion.

5. On the asking of the Court, Mr. Harpreet Singh, Addl. AG, Punjab, present in Court, accepts notice on behalf of the State-respondent and, on instructions, from ASI Sohan Singh, submits that instant case has been registered on the basis of a complainat moved by the complainant to ADGP, NRI Punjab. He prays for time to file the status report/reply in the matter.

6. Adjourned to 16.04.2024.

7. Needful be done well before the date fixed with an advance copy to the counsel opposite.

8. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

5. Learned State counsel on instructions from ASI Sohan Singh informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 01.04.2024 passed by this Court, interim bail granted vide order dated 01.04.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

16.04.2024
puneet

(SANJIV BERRY)
JUDGE

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