



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

204

CRM-M-18310-2024
Date of Decision : **August 23, 2024**

KULWINDER SINGH @ HARRY

.....Petitioner

VERSUS

STATE OF PUNJAB AND ANOTHER

.....Respondents

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Keshav Chadha, Advocate for the petitioner.
Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. On 16.4.2024, the following order was passed by a co-ordinate Bench of this Court:-

“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.230 dated 17.12.2022 registered under Sections 406, 420, 120B IPC and Section 13 of Punjab Travel Professionals (Regulation) Act at Police Station Basti Bawa Khel, District Jalandhar.

Counsel for the petitioner submits that the petitioner is falsely implicated in the present case and has nothing to do with the transaction as are alleged in the FIR and there is no document available on record to show that any money out of total disputed amount of ` 13.5 lakh is ever directly handed over to the petitioner by the complainant or any other person.

Counsel for the petitioner further submits that the petitioner has nothing to do with co-accused/Komal Singh. He further submits that present FIR is a counter blast to FIR (Annexure



CRM-M-18310-2024

-2-

P-2) dated 17.7.2022 lodged by wife of the petitioner under Sections 365, 506, 34 IPC. He further contends that the petitioner, who is having no criminal history, is ready to join investigation with the police.

Notice of motion.

Mr. Jasjeet Singh Dhaliwal, AAG, Punjab accepts notice on behalf of the State and on instructions from ASI Tehal Singh submits that there were oral transactions between the complainant and the present petitioner as per which the complainant gave Rs.5 lakh and his passport to the present petitioner who promised to send him abroad. However, the State counsel has not disputed the fact that no document with regard to the aforesaid payment to the petitioner is available on record.

Now be listed on 4.7.2024.

In view of above, the petitioner is hereby directed to join the investigation with the police and in case of arrest, he is to be released on interim bail by the investigating officer/arresting officer to his own satisfaction till the next date fixed in this case. The petitioner is also to abide by the conditions envisaged under Section 438 (2) of Cr.P.C.”

2. Despite giving three adequate opportunities to the petitioner, he has failed to join the investigation. Even the costs imposed upon the petitioner has not been deposited yet. Further-more, the learned counsel for the petitioner submits that he has no instructions to address the arguments.

3. In view of the above, the instant petition is **dismissed**.

August 23, 2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No