

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.19381 of 2023

Date of decision: 26th February, 2024

Huney @ Huney Kundi

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Ms. Sajida Aktar, Advocate for
Mr. Liaqat Ali, Advocate for the petitioner.

Mr. Amit Rana, Sr. 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.236 dated 16.10.2022 under Sections 406, 420 of the IPC registered at Police Station Shahkot, District Jalandhar.

2. On the last date of hearing, i.e. 15.11.2023, while noticing the following submissions made by learned counsel for the petitioner, a Coordinate Bench of this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner submitted that although on 25.05.2023, he had contended that the petitioner shall pay the amount of Rs.2 lacs to the complainant within a period of one month but the same has not been paid. He submitted that he has further sought

instructions from the petitioner to state that the petitioner is not liable to pay the aforesaid amount to the complainant and he has been falsely implicated in the present case and it is a case of money dispute between the parties.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 15.11.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from SI Kewal Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 15.11.2023 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

February 26, 2024
rps

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