



CRM-M-25527-2024
Date of decision: 27.08.2024

Versus

STATE OF PUNJAB ...RESPONDENT

Present: - Mr. Jagjot Singh, Advocate
for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

Mr. Anureet Singh Sidhu, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioners seek anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
09	13.04.2024	406, 420, 120-B of IPC.	NRI, Sangrur, Punjab.

2. Learned counsel for the petitioners submits that in compliance to the order dated 31.05.2024 passed by this Court, the petitioners have already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 31.05.2024 .

3. Learned State counsel, on instructions received from ASI Varinder Singh, intimates the Court that the petitioners have joined investigation and are neither required for further investigation nor for any custodial investigation.



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4. Learned counsel for the complainant opposed the submissions made by learned counsel for the petitioners.

5. During the course of hearing on 31.05.2024, following order was passed:

“ 2. It is inter alia contended that the complainant could not go abroad on account of the refusal of VISA by the concerned authorities as is evident from Annexure P-3 to P-5.

3. Learned counsel for the petitioners contends that the petitioners are having no criminal antecedents and are ready to join the investigation.

4. Per contra, learned State counsel assisted by learned counsel for the complainant has opposed the bail by submitting that the petitioners have cheated the complainant and intentionally defrauded by not getting him the requisite VISA to go abroad, hence, they are not entitled to bail.

5. After considering the rival contentions and perusing the record and without commenting on the merits of the case, it is deemed appropriate that the petitioners should join the investigation first before deciding the petition on merits. Accordingly, the petitioners are directed to join the investigation within seven days from today and in the event of their arrest, they are ordered to be released on interim bail on their furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. They shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.

6. List on 31.07.2024.”

6. Keeping in view the above submissions made by learned State



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counsel and the fact that the petitioners had joined the investigation consequent to the order dated 31.05.2024 passed by this Court, interim bail granted vide order dated 31.05.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioners are 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 petitioners; they 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.

(SANJIV BERRY)
JUDGE

27.08.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |