



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-24850-2024
Date of decision: 06.08.2024

HARDEV SINGHPETITIONER

Versus

STATE OF PUNJAB ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. Shailender Singh, Advocate and
Ms. Priya Bhati, Advocate for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Section	Police Station
66	01.05.2024	120-B, 420 of IPC	City South, District Moga, Punjab.

2. Status report dated 24.07.2024 in the form of an affidavit of Deputy Superintendent of Police (City) Moga, District Moga, has been filed. The same is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
3. Learned counsel for the petitioner submits that in compliance to the order dated 05.07.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 05.07.2024.



4. Learned State counsel, on instructions from ASI Jaswant Singh, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.

5. During the course of hearing on 05.07.2024, following order was passed:

“ 2. Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely implicated in the present case. He has no concern whatsoever with the alleged transaction. Even as per the case of prosecution, he has simply accompanied Kuldeep Singh son of Khushia Ram when the amount was paid and received by the said Kuldeep Singh. The petitioner is neither the beneficiary nor has he duped the complainant and no amount has been received by him. The petitioner is not having any criminal antecedents and is ready to join the investigation.

3. Notice of motion.

4. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, who is present in Court, accepts notice on behalf of the respondent-State and on instructions from ASI Lakhbir Singh, he has not disputed the factual matrix and admitted the fact that the amount in question was received by Kuldeep son of Khushia Ram and the petitioner has simply accompanied him. The petitioner is not having any criminal case registered against him. He seeks time to file reply.

5. Adjourned to 26.07.2024.

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

7. 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. ”

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 05.07.2024 passed by this Court, interim bail granted vide order dated 05.07.2024 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.

(SANJIV BERRY)
JUDGE

06.08.2024
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |