



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-26891-2024
Date of decision: 31.07.2024

HARPREET SINGHPetitioner

Versus

STATE OF PUNJAB ...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Jugraj Waraich, Advocate for
Mr. Vishal Mittal, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

1. On 24.05.2024, this Court, had passed the hereinafter extracted order,
upon the instant petition:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner seeks the concession of anticipatory bail, in case FIR No.86 dated 03.05.2024, under Sections 420 and 120-B of the IPC, registered at P.S. Kotwali Patiala, District Patiala.

2. The learned counsel for the petitioner, in his asking for the relief (supra), submits that the only allegation against the petitioner is that, he had introduced the complainant to the main accused Navjot Singh. Moreover, although he admits that an amount of Rs.50,000/- was transferred to petitioner’s account, however, he submits that it was transferred for arranging study visa for complainant’s wife, which was successfully arranged.

3. The learned counsel for the petitioner further submits that, as per the allegations narrated in the FIR, the entire amount was transferred in the account of main accused Navjot Singh, who has already been arrested on 21.05.2024.

4. Notice of motion for 31.07.2024.

5. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab. 6. In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when



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called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. ”

2. Today, the learned State counsel has, on instructions imparted to him by HC Jasmail Singh, stated that pursuant to the making of the hereinabove extracted order, though the petitioner had joined investigation, but he has not got recovered the amount of Rs.50,000/-, which was transferred in the account of the present petitioner, therefore, the custodial interrogation of the petitioner is required.

3. This Court has heard the submissions made by learned State counsel, and is of the view that merely because the petitioner has not returned the amount of Rs.50,000/-, which was transferred in his account, does not disentitle the petitioner for the grant of anticipatory bail.

3. In view of the above, the hereinabove extracted interim order dated 24.05.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

- “(i) the petitioner shall not commit an offence similar to the present offence;
- (ii) the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- (iii) the petitioner shall make himself available for interrogation by a police officer as and when required.”

4. This order should not be treated as “blanket” order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves

commission of an offence.

5. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

31.07.2024
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(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned.

:

Yes/No

Whether Reportable.

:

Yes/No