

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

204/2

CRM-M-30150-2023 (O&M)
Date of decision: 22.02.2024

SAVINDER SINGH @ SHALINDER SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Saransh Sabharwal, Advocate for the petitioner(s).

Mr. Daksh Prem Azad, AAG Punjab.

Mr. Prabsimran Singh, Advocate for the complainant.

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 as under:

FIR No.	Dated	Sections	Police Station
218	28.12.2022	406, 420, 120-B IPC; 13 of the Punjab Travel Professional (Regulation) Act, 2014	Division No.7, Police Commissionerate Jalandhar, District Jalandhar

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 14.11.2023 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.

3. Learned State counsel, on instructions from DSP Harjinder Singh, Model town, Jalandhar has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

4. Heard.

5. During the course of hearing on 14.11.2023, the following order was passed:-

“ This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.218 dated 28.12.2022 under Sections 406, 420, 120-B & Section 13 of Punjab Travel Professional (Regulation) Act, 2014, registered at Police Station Division No.7, Police Commissionerate Jalandhar, District Jalandhar.

Learned counsel for the petitioner has argued that petitioner has been falsely implicated in the present case. It is submitted that as per the allegations in the FIR, certain amounts were handed over to the petitioner alongwith co-accused on 16.04.2020 at Jalandhar who had come from Una (Himachal Pradesh) to collect the same. It is submitted that during the aforesaid period, country was under lockdown on account of Covid-19 pandemic and there was restricted movement within the city whereas interstate travel was not permitted without prior permission. Petitioner is ready to join investigation and cooperate with the investigating agency.

At the preliminary hearing, complainant had appeared through counsel and submitted that petitioner is involved in another case FIR as well, which is of similar nature and had sought time to place on record the relevant documents/FIRs. Learned counsel appearing for the complainant submits that he has been able to obtain copy of two FIRs against the co-accused but the petitioner has not been nominated as an accused therein.

Learned State counsel on instructions from ASI Jagtar submits that petitioner is not involved in any other case. He seeks time to file reply/status report.

List on 23.11.2023.

In the meanwhile, petitioner shall join the investigation and would associate as and when called. In the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal bond and surety to the satisfaction of Arresting Officer/Investigating Officer. The petitioner shall abide by the conditions specified in 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 14.11.2023 passed by this Court, interim bail granted vide order dated 14.11.2023 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

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the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

22.02.2024
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No