



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.30724 of 2024

Date of decision: 11th November, 2024

Jaswinder Singh @ Bunty

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Amit Dhawan, Advocate for the petitioner.

Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

Mr. Sartaj S. Gill, Advocate for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail in case FIR No.23 dated 17.05.2024 under Sections 406, 420 of the IPC and Section 24 of Emigration Act, 1983 registered at Police Station NRI, District Kapurthala.

2. On the last date of hearing, i.e. 05.08.2024, while noticing the following submissions made by learned State counsel, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned State counsel, on instructions, submits that the petitioner was present along with the co-accused, who had lured the complainant to part with an amount of Rs.26,50,000/- on the pretext of sending him abroad on work visa. On a pointed query put to the State counsel as to whether any sum of money was deposited in the account of

the petitioner or if any money had been handed over to him or even if there were allegations that the petitioner had lured the complainant into parting with the aforesaid amount on the pretext of arranging for a work visa and his travel abroad, he, on instructions, has replied in the negative and stated that he was present with the co-accused and had counted the money, which was handed over to the co-accused in cash by the complainant and had also handed over the passport to the complainant.”

3. Learned counsel for the petitioner, at the outset, submits that in the FIR in question, the petitioner has been declared innocent by the Investigating Agency.

4. Learned State counsel, on instructions from ASI Bhuvnesh Kumar, has not disputed the submissions made by the counsel opposite. He, on further instructions has submitted that the petitioner is not required for investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 05.08.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./Section 482(2) BNSS. 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

November 11, 2024
rps

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