



CRM-M-33212-2024

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(205)

CRM-M-33212-2024
Date of Decision : 20.11.2024

Vijay Kumar ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON’BLE MR. JUSTICE KULDEEP TIWARI

Present: Ms. Kuljit Kaur, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. This Court, on dated 15.07.2024, 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.104 dated 27.03.2024, under Sections 420, 120-B of the IPC (Sections 465, 467, 471 of the IPC added subsequently), registered at P.S. Goindwal Sahib, District Tarn Taran.

2. The learned counsel for the petitioner submits that, although the petitioner has been falsely implicated in the present FIR, yet the only allegation levelled therein against him is that, he had introduced the complainant to the main accused. In fact, neither the petitioner is a travel agent or commission agent, nor he received any money or documents from the complainant. The petitioner is just a shopkeeper and he is not a beneficiary of the allegedly cheated amount.



3. *Lastly, the learned counsel for the petitioner submits that the petitioner is ready and willing to join the investigation and to cooperate with the investigating officer.*

4. *Notice of motion for 12.08.2024.*

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 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 on instructions imparted to him from the Investigating Officer concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for further custodial interrogation.

3. Learned counsel for the petitioner submits that in pursuance to the directions, passed by this Court, vide order dated 23.10.2024, the petitioner has deposited the cost of Rs.5,000/- with the District Legal Services Authority concerned, and she has placed a photocopy of receipt thereof, today in the Court. The same is taken on the record.

4. In view of the above, the hereinabove extracted interim order dated 15.07.2024, is hereby made absolute, subject to the hereinafter extracted conditions:-

“(i) the petitioner(s) shall not commit an offence similar to the present offence;



(ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
(iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

5. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) 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.
6. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

(KULDEEP TIWARI)
JUDGE

November 20, 2024
Manpreet

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