



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206/2

CRM-M-33430-2024
Date of decision: September 16, 2024

Gurbachan Singh
.....Petitioner

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Barjinder Singh, Advocate
for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

Ms. Jasleen Kaur Chhibber, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.31 dated 27.04.2023 under Sections 406, 420, 120-B of the Indian Penal Code, 1860, and Section 13 of Punjab Travel Professionals Regulation Act, 2012, registered at Police Station City Samana, Patiala.

2. Vide order dated 16.07.2024, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the instant case. He submits that even as per the allegations levelled in the FIR it was not the petitioner but the co-accused who had assured the complainant that he would arrange to send his son abroad. It has been further submitted that an amount of ₹20,000/- was allegedly paid in the bank account of the



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petitioner, however, that was way back in the year 2019 and it could not in any manner be construed to imply that it was on account of any assurance given by the petitioner to the complainant.”

3. Learned counsel for the petitioner submits that in compliance of order dated 16.07.2024, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.
5. In view of the above, the petition is allowed and interim order dated 16.07.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) of the BNSS, 2023.

September 16th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No