



**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

207

**CRM-M-37261-2024
Date of Decision :01.10.2024**

JAGTAR SINGH

.....Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Pardeep Singh, Advocate
for the petitioner(s).

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. On 05.08.2024, this Court had passed the hereinafter extracted order, upon the instant petition: -

“Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner has sought the concession of his being enlarged on anticipatory bail, in case FIR No.63 dated 19.04.2023, under Sections 406, 420, 468 and 471 of IPC, and under Section 24 of the Immigration Act, registered at Police Station Division No.6, Ludhiana.

Learned counsel for the petitioner submits that, in fact, the allegations are that the transaction occurred in the year 2018, and e-mail with regard to the refusal of visa, on account of submitting a fake certificate of IELTS test, was received by the complainant in the year 2019, and the instant FIR was registered in the year 2023, therefore, there is a gross delay of 04 years. Learned counsel for the petitioner further submits that there is no money transaction between the present petitioner and the complainant, and so far as the cheque in dispute is concerned, i.e. the self-drawn cheque, it is for the complainant to explain, that howcome, he came into possession of the self-drawn cheque.

Notice of motion.

Mr. Pardeep Bajaj, DAG, Punjab, waives service of notice on behalf of the respondent-State.

List on 01.10.2024.

In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency as

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and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bond 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 the police official 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 custodial interrogation.

3. In view of the above, the hereinabove extracted interim order dated 05.08.2024, 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.”

4. 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.

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

6. All pending application(s), if any, stand **disposed** of accordingly.

October 01, 2024*dinesh***(KULDEEP TIWARI)
JUDGE**

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No