



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

208

**CRM-M No.36681 of 2024
Date of decision: 25.10.2024**

SATBIR ALIAS SATBEER**.... Petitioner****Versus****STATE OF PUNJAB****.... Respondent****CORAM: HON'BLE MRS. JUSTICE MANISHA BATRA**

Present : Mr. Gurmeet Singh Saini, Advocate for the petitioner.

Ms. Ruchika Sabherwal, Sr. D.A.G., Punjab.

MANISHA BATRA, J. (oral)

1. Prayer in this petition has been made for grant of anticipatory bail to the petitioner in case FIR No.56 dated 15.05.2024, registered under Sections 420 and 406 of IPC, at Police Station Vairoke, District Fazilka.
2. Vide order dated 01.08.2024, passed by this Court, the petitioner was granted interim bail and was directed to join investigation. Order dated 01. 08.2024, passed by this Court, reads as under:

“The prayer in this petition is for grant of pre-arrest bail to the petitioner in case bearing FIR No. 56 dated 15.05.2024 under Sections 420, 406 of IPC, 1860, registered at Police Station Vairoke, District Fazilka on the basis of written complaint filed by the complainant Kuldeep Singh alleging therein that on the allure by the petitioner herein along with coaccused Amandeep Kamboj alias Aman Skoda to get his son recruited in the Punjab Police as Sub-Inspector on payment of an amount of Rs. 70 Lakhs, he had agreed to give the same to Aman Skoda, who as per his instructions, firstly handed over a sum of Rs. 30 Lakhs to one Yuvraj Singh, who had



handed over the same to the present petitioner and subsequently in the same manner an amount of Rs. 40 Lakhs had been handed over to the present petitioner through Yuvraj Singh. It is submitted that the co-accused Aman Skoda did not get his son recruited in the police rather he along with the present co-accused caused loss of Rs. 70 lakhs to him.

It is argued by learned counsel for the petitioner tht he has been falsely implicated in the present FIR. Neither there is any allegation of making any inducement to the complainant or parting with any amount of money nor there is any documentary proof of any such money given by the complainant to him and he has been falsely implicated due to his son being the nephew of Aman Skoda. He further submits that the petitioner is ready and willing to join the investigation and nothing is to be recovered from him.

Notice of motion.

On the asking of the Court, Ms. Ruchika Sabherwal, Sr. DAG, Punjab accepts notice on behalf of respondent-State and seeks time to file status report while submitting that there are four other cases of similar nature pending against the petitioner.

Adjourned to 11.09.2024.

In the meantime, petitioner is directed to join investigation as and when called by SHO/Investigating Officer and in the event of his arrest, he shall be released on interim bail on his furnishing bail bonds/surety bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438 (2) Cr.P.C. :-



(i) *that the petitioner shall make himself available for interrogation before the investigating officer as and when required:*

(ii) *that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him from disclosing such facts to the Court or to any police officer;*

(iii) *that the petitioner shall not leave the country without prior permission of the Court concerned.*

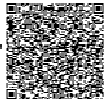
Status report be filed on or before the next date of hearing with an advance copy to the counsel opposite.”

3. However, the petitioner did not join the investigation in compliance of order dated 01.08.2024 and was again directed to join the investigation vide order dated 11.09.2024. . Order dated 11.09.2024, passed by this Court, reads as under :-

“Status report dated 10.09.2024 filed on behalf of the respondent-State is taken on record. Copy thereof, has been supplied to counsel opposite.

It is submitted by learned State counsel that the petitioner did not join the investigation in terms of the order dated 01.08.2024 passed by this Court.

Learned counsel for the petitioner on the other hand, has submitted that since the petitioner has been apprehended his arrest in some other case and the said petition for grant of pre arrest bail has been allowed by Hon’ble Supreme Court on 10.09.2024, and due to that reason, he could not comply with the order dated



01.08.2024. He has also placed on record copy of order dated 10.09.2024 passed by Hon’ble Supreme Court in SLP (Criminal) Diary No.40959/2024 arising out of order dated 13.08.2024, thereby, staying the arrest of the present petitioner.

In view of the above mentioned compelling circumstances and keeping in view the interest of justice, one more opportunity is granted to the petitioner to join the investigation. The petitioner is directed to appear before the S.H.O/Investigating Officer to join investigation within one week or as and when subsequently required thereafter. In the event of his arrest, the S.H.O/Investigating Officer shall release the petitioner on interim bail on furnishing personal/surety bonds to his/her satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Adjourned to 25.10.2024.”

4. Learned State counsel, on instructions from the Investigating Officer, has submitted that the petitioner has joined investigation on 14.09.2024 and he is not required for custodial interrogation.
5. Keeping in view the above mentioned facts and circumstances, without commenting on the merits of the case, the present petition is allowed and the order dated 01.10.2024, granting interim bail to the petitioner, is made absolute, subject to compliance of terms and conditions requisite for grant of anticipatory bail.

25.10.2024
Jyoti-IV

(MANISHA BATRA)
JUDGE

Whether speaking/reasoned: Yes/No.

Whether reportable : Yes/No