



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

CRM-M-38026-2024
Date of Decision : 21.08.2024

KULWANT SINGH

.....Petitioner(s)

VERSUS

STATE OF PUNJAB AND ANOTHER

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Digvijay Nagpal, Advocate,
for the petitioner(s).

Mr. Sahil R. Bakshi, AAG, Punjab.

KULDEEP TIWARI, J.(Oral)

1. On 06.08.2024, this Court 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.43 dated 13.04.2024, under Sections 406, 420, 465, 467, 468, 471, 120-B of the IPC, registered at P.S. Bhadson, District Patiala.

2. The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present FIR, inasmuch as, he has not committed any fraud, rather it was his co-accused Harnek Singh, who tried to impersonate the complainant and tried to enter into an agreement by forging the complainant's Aadhar Card. Moreover, no money has been transferred in the account of the petitioner, which may render him liable for any custodial interrogation.

3. Lastly, the learned counsel for the petitioner submits that, since petitioners' co-accused Sukhpal Singh, who is on a co-equal pedestal as the petitioner, has already been granted the relief of interim bail by this Court, as is evident from the order dated 08.05.2024 (Annexure P-2), therefore, the petitioner also deserves an alike relief.

4. Notice of motion for 21.08.2024.

5. Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent No.1-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.

7. To be heard along with CRM-M-22937-2024.”

2. Today, the learned State counsel has, on instructions imparted to him by ASI Parvinder Singh, 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 06.08.2024, 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.

August 21, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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