

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40722-2023(O&M)
Date of decision: 29.01.2024

Jaskaran Singh
...Petitioner

Versus

State of Punjab
...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Abhimanyu A. Garg, Advocate for the petitioner.

Mr. M.S. Tiwana, AAG., Punjab.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No. 0197 dated 07.07.2023, under Sections 406, 420, 120B IPC, registered at Police Station Zirakpur, Tehsil Dera Bassi, District S.A.S. Nagar, Mohali.

- (2) Allegations are that petitioner along with co-accused-Ravi Sharma committed fraud with the complainant-Baljinder Kaur regarding sale of plot.
- (3) This Court while issuing notice of motion on 21.08.2023, granted interim bail to the petitioner and which reads as under:-

“ Learned counsel for the petitioner has submitted that the subject matter of the present FIR was only a civil dispute which was given a criminal flavour.

Notice of motion.

Mr. Sarabjit Singh Cheema, DAG, Punjab accepts notice on behalf of the State of Punjab.

Adjourned to 18.12.2023.

In the meanwhile, the petitioner is directed to join the investigation and to co-operate fully with the investigation process and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr. P.C.”

(4) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.

(5) Learned State Counsel on instructions from ASI-Dharam Singh submits that in pursuance of aforesaid order, petitioner has joined investigation and as on today, his custodial interrogation is not required.

(6) In view of above, interim order dated 21.08.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(7) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

(8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.

(9) It is made clear that in case of any recurrence on the part of the petitioner, the State of Punjab would be at liberty to move an application for recalling of this order.

(10) Disposed off accordingly.

(11) Pending application(s), if any, shall also stand disposed off.

29.01.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No