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

**CRM-M-41910-2023 (O&M)
Date of decision : 01.03.2024**

Narinder Kumar

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Vishal Verma, Advocate,
for Mr. Jagandeep Singh, Advocate,
for the petitioner.

Mr. Neeraj Madaan, Sr. DAG, Punjab,
assisted by ASI Navdeep Singh.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.226 dated 19.07.2023, under Sections 406, 420, 467, 468, 471, 120-B of the Indian Penal Code, 1860, registered at Police Station Tripuri, District Patiala.

2. Allegations are that petitioner issued air ticket to the daughter of complainant after receiving Rs.1,30,000/-, but the same was found to be forged and never issued by the Airlines.

3. Contends that the Coordinate Bench, granted interim bail to petitioner on 24.08.2023 and in terms thereof, he has already joined the investigation and his custodial interrogation is not required.

4. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.

5. Heard learned counsel for the parties and perused the paper-book.

6. It is an admitted position that petitioner was granted interim bail by the Coordinate Bench on 24.08.2023 and relevant part of the same is recapitulated as under:-

“ Learned counsel for the petitioner has submitted that it is a case where the allegations in the FIR were that an amount of Rs. 1,30,000/- was given by the complainant for getting ticket for travelling abroad and the amount was given to the company which is owned by the son of the petitioner and so far as the present petitioner is concerned, he is the father of the aforesaid owner of the company and false allegations have been levelled against him that some amount has been given to the petitioner as well. He submitted that in fact earlier also the petitioner was wrongfully named in an FIR and due to that reason rather he had disowned his son in the year 2022 and thereafter the petitioner has got no connection with his son and it was only to pressurize that the name of the petitioner has been added only because the petitioner is father of the other co-accused namely Chetan Goyal who is the proprietor of the firm which received the amount.

Notice of motion.

Mr. Ramdeep Partap Singh, Senior DAG, Punjab accepts notice on behalf of the State of Punjab and prays for some time to file an affidavit.

Adjourned to 06.12.2023.

In the meantime, 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..”

7. It is acknowledged by learned State counsel that in pursuance of above order, petitioner has joined the investigation and his custodial interrogation is not required at this stage.
8. In view of above, interim order dated 24.08.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
9. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
10. 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.
11. Disposed off accordingly.
12. Pending application(s), if any, shall also stand disposed off.

01.03.2024
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(MAHABIR SINGH SINDHU)
JUDGE

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