

CRM-M-42510-2023

-1-

IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH

(202)

CRM-M-42510-2023

Date of decision:- 12.12.2024

Jasbir Singh Johal

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Sukhdeep Singh, Advocate
for the petitioner.

Mr. Brijesh, AAG, Punjab
for respondent No.1.

Mr. Gagandeep Singh Simble, Advocate
for respondent No.2.

SUVIR SEHGAL, J. (Oral)

1. On 22.07.2024, this Court passed the following order:-

*“This second petition has been filed under
Section 438, Cr.P.C., for grant of anticipatory bail in:-*

FIR No.	Dated	Police Station	Sections
172	24.08.2019	Civil Lines Batala, District Gurdaspur	406/420 IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012

*Counsel for the petitioner submits that the
petitioner has already paid an amount of Rs.50,000/- to
the complainant as is reflected in order dated 18.04.2024
passed by this Court. He submits that the dispute was
referred to the Mediation and Conciliation of this Court,
but no settlement could be arrived at. He has handed over
a demand draft of Rs.5 lakhs, drawn in the name of Avtar
Singh, xerox copy of which is taken on record, to the
counsel for the complainant.*



CRM-M-42510-2023

-2-

Counsel for the complainant submits that the allegation against the petitioner is that he had duped the complainant of Rs.13 lakhs out of which Rs.5.50 lakhs was entrusted to the petitioner.

Be that as it may, noticing the nature of allegations levelled against the petitioner as well as after hearing the State counsel and examining the incriminating material placed on the record by the State, this Court is of the view that the petitioner deserves to be granted interim protection.

List on 23.09.2024.

Petitioner is directed to appear before the Investigating Officer on 01.08.2024 at 10:00 A.M. at Police Station Civil Lines, Batala, District Gurdaspur and join the investigation and appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

2. Upon instructions received from SI, Manohar Singh, State counsel submits that the petitioner has joined the investigation pursuant to order dated 22.07.2024 passed by this Court, cooperated with the Investigating Agency and he is no longer required for custodial interrogation.

3. In view of the above, but without commenting upon the merits of the allegations, petition is allowed. Order dated 22.07.2024 is made absolute , subject to satisfaction of conditions laid down under Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

12.12.2024
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No