

2024:PHHC:057280

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

202 CRM-M-43980-2023

DATE OF DECISION: 26.04.2024

HARPREET SINGH

...PETITIONER

Versus

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Dinesh Mahajan, Advocate for the petitioner(s).

Mr. J.S. Rattu, DAG, Punjab.

Mr. Kartik Gupta, Advocate for the complainant.

SANDEEP MOUDGIL, J (ORAL)

Present petition is under Section 438 Cr.P.C. for seeking anticipatory bail to the petitioner in case FIR No.105 dated 15.07.2023 registered under Sections 406 and 420 IPC at Police Station Lalru, SAS Nagar, District SAS Nagar, Mohali.

Today learned State Counsel informs the Court that petitioner has joined the investigation but is not co-operating, in as much as he has not returned passport which is allegedly with him as per version of the complainant along with Rs. 8.50 lakhs paid to him.

Learned counsel for the petitioner countered the aforesaid assertion to say that one Gurmeet Singh who is close relative of the complainant himself was the common person between the parties and all the documents were with him and even the money was collected by him. The complainant has purposely raised no allegation qua Gurmeet Singh in the instant FIR.

Be that as it may, the allegations and counter allegations coming forth by the complainant and the petitioner need to be adjudicated by way of leading evidence.

Hence, at this stage, when the petitioner has joined the investigation wherein Gurmeet Singh is stated to have left the country and is residing abroad, this Court do not deem it a case where custodial interrogation of the petitioner is required at this stage. Hence, the order dated 24.01.2024 granting interim bail to the petitioner, is made absolute.

Accordingly, the present petition is disposed of.

(SANDEEP MOUDGIL)

JUDGE

26.04.2024

anuradha

Whether speaking/reasoned Yes/No

Whether reportable Yes/No