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

CRM-M-47426-2023 (O&M)

Date of decision: 08.02.2024

Manpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rajesh Bhatheja, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, 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. 101 dated 11.06.2023 has been registered under Sections 401, 420, 465, 468, 471, 120-B IPC, at Police Station, Sadar Faridkot, District Faridkot.

(2) Allegations against the petitioner are that he and his brothers Gurnaib Singh and Buta Singh, being travel agents received Rs. 70,000/- each from all the complainants on the pretext of sending them abroad, assuring the emigration of complainants to Dubai, but provided them fake tickets & Visas and they were not sent abroad.

(3) This Court, on 23.11.2023, granted interim bail to the petitioner and which reads as under:-

“Contends that no money has been received by the petitioner; rather, the amount in question was deposited in the

account of co-accused Buta Singh.

Also contends that there is no other criminal case pending against the petitioner. Further contends that another co-accused, namely, Gurnaib Singh @ Gurpreet Singh has already been granted the concession of pre-arrest bail by this Court on 31.10.2023 in CRM-M-44036-2023.

Notice of motion.

On the asking of the Court, Mr. Joginder Pal Ratra, Sr. DAG, Punjab accepts notice on behalf of respondent-State and seeks time to have instructions and/or file response regarding complicity of the petitioner.

Posted on 23.01.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973. ”

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

(5) Learned State Counsel has raised no objection and submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.

(6) In view of above, interim order dated 23.11.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

(7) It is also made clear that the 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.

08.02.2024

(MAHABIR SINGH SINDHU)

SatyawanJUDGE

Whether speaking/reasoned: Yes/No

Whether Reportable: Yes/No