

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.51801 of 2023
Date of decision: 11th January, 2024

Sukhbir Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. V.K. Sandhir, Advocate for the petitioner.

Mr. Mohit Kapoor, Addl. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.66 dated 13.04.2023 under Section 420 of the Indian Penal Code, 1860 and Section 13 of Punjab Prevention of Human Smuggling Act, 1912, registered at Police Station A-Division, District Amritsar.

2. On the last date of hearing, i.e. 12.10.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner, inter alia, contends that totally false allegations have been levelled in the FIR against the petitioner that he took ₹ 60,000/- from the brother of the complainant for arranging work permit

for him in Dubai, whereas the fact of the matter was that the brother of the complainant had already been in Dubai much prior to that.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 12.10.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions ASI Palwinder Singh, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 12.10.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

January 11, 2024
rps

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No