

2024:PHHC:160546



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

CRM-M-51534-2024

Date of Decision : 02.12.2024

DAVINDER SINGH

.....Petitioner(s)

VERSUS

STATE OF PUNJAB

.....Respondent(s)

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Raman Kumar, Advocate for
Mr. Rajeev K. Kapila, Advocate,
for the petitioner(s).

Ms. Manjot Kaur, AAG, Punjab.

Mr. Abnash Singh, Advocate,
for the complainant.

KULDEEP TIWARI, J.(Oral)

1. On the oral request of learned counsel for the petitioner, Section 201 IPC, which was invoked by the prosecution agency, during the pendency of the instant petition, is ordered to be added in the headnote as well as in the prayer clause of the instant petition. The Registry of this Court is directed to carry out the necessary corrections accordingly.

2. On 28.10.2024, this Court had passed the hereinafter extracted order, upon the instant petition:-

“Through the instant petition filed under Section 438 Cr.P.C., prayer is made for grant of anticipatory bail to the petitioner in case FIR No.156 dated 27.6.2024, under Sections 406, 420, 120-B IPC and under Section 13 of the Punjab Travel Professional (Regulation)

Act, registered at Police Station Rama Mandi, District Police Commissionerate, Jalandhar.

Learned counsel for the petitioner in the asking for the relief (supra) inter-alia submits that as per the allegations, Rs.5 lac has been transferred to the bank account of the present petitioner by the complainant. However, the said amount was further transferred in the account of the coaccused on the asking of the complainant. She further submits that the petitioner is also one of the victim on account of the fraud played by the other co-accused.

Notice of motion for 2.12.2024.

On the asking of the Court, Mr. Pardeep Bajaj, DAG, Punjab, accepts notice on behalf of the respondent-State.

In the meanwhile, the petitioner is directed to join the investigation and in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall, however, join the investigation as and when called for and shall also abide by the conditions specified under Section 438(2) of Cr.P.C. ”

3. Today, the learned State counsel, on instructions imparted to him by the police official concerned, stated that pursuant to the making of the hereinabove extracted order, the petitioner(s) had joined investigation and he is no longer required for custodial interrogation.

4. At this stage, Mr.Abnash Singh, Advocate, has caused appearance on behalf of the complainant, through a validly executed power of attorney in his favour, the same is taken on record. He vociferously opposed the asked for relief of anticipatory bail to the present petitioner, on the ground that the petitioner is one of the accused persons, who duped the gullible people on the pretext of sending them abroad.

5. This Court has considered the rival submissions made learned counsel for the parties concerned, and is of the view that since the petitioner joined investigation and his further custodial interrogation is no longer required by the investigating agency, therefore, the hereinabove

extracted interim order dated 28.10.2024, is hereby made **absolute**, subject to the hereinafter extracted conditions:-

- “(i) the petitioner(s) shall not commit an offence similar to the present offence;
- (ii) the petitioner(s) shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case;
- (iii) the petitioner(s) shall make himself/herself available for interrogation by a police officer as and when required.”

6. This order should not be treated as “blanket” order. It will not be read granting petitioner(s) indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7. Needless to say that anything observed hereinabove shall not be construed to be an opinion on the merits of the case.

8. All pending application(s), if any, also stand **disposed** of accordingly.

December 02, 2024
dharamvir

(KULDEEP TIWARI)
JUDGE

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