

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217

2024:PHHC:030970
CRM-M-59565-2023
Date of decision: March 5th, 2024

Pargat Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vivek Singla, Advocate
for the petitioner.

Mr. Amit Rana, Senior Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.105 dated 18.10.2023 under Sections 420, 406 of the Indian Penal Code, 1860, registered at Police Station Arniwala, District Fazilka.

2. While issuing notice of motion on 30.11.2023, following submissions of learned counsel for the petitioner were recorded:-

“Learned counsel for the petitioner inter alia contends that admittedly an amount of ₹5 lakhs had been obtained by the petitioner as a friendly loan from the complainant, however, due to some financial constraints he was unable to repay to the complainant for which the complainant had already availed of his remedies under Section 138 of the NI Act. It has been further submitted that the petitioner still has every intent to repay the entire amount borrowed from the complainant which was paid to him through bank transactions, however, at the same time he submits that no amount was received by

him in cash from the complainant.”

3. Thereafter, vide order dated 14.12.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation.
4. Learned counsel for the petitioner submits that in compliance of order dated 14.12.2023, the petitioner has joined investigation and cooperated with the investigating agency.
5. Learned State counsel, on instructions from ASI Ramesh Chand, 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.
6. In view of the above, the petition is allowed and interim order dated 14.12.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

March 5th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No