

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

CRM-M-61808-2023  
Date of decision: 16.02.2024

BALJIT SINGH ...Petitioner

VS

STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Shiv Bhola, Advocate for  
Mr. K.S. Dhillon, Advocate  
for the petitioner.  
  
Mr. Daksh Prem Azad, AAG, Punjab.  
.....

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 Cr.P.C, the  
petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

| FIR No. | Dated      | Sections     | Police Station                         |
|---------|------------|--------------|----------------------------------------|
| 113     | 31.08.2023 | 406, 420 IPC | Kartarpur, District<br>Jalandhar Rural |

2. Learned counsel for the petitioner submits that in compliance  
to the order dated 23.01.2024, the petitioner has joined the investigation.
3. During the course of hearing on 23.01.2024, following order  
had been passed: -

*‘2. Reply dated 21.12.2023 already filed by the State in the  
form of affidavit of Deputy Superintendent of Police, Sub-  
Division Kartarpur, Jalandhar (Rural), is ordered to be*

*taken on record. Copy thereof has been supplied to learned counsel for the petitioner.*

*3. Heard.*

*4. It is, inter alia, contended by learned counsel for the petitioner that the instant FIR was registered by the complainant against one Sansar Singh along with the petitioner on the allegation that the said Sansar Singh had assured the complainant to send his son abroad and in the process, had introduced him to the present petitioner. It is further contended by learned counsel for the petitioner that from the perusal of the FIR itself, it is evident that during the course of inquiry, the complainant has compromised with said Sansar Singh and the entire burden had been shifted to the petitioner. He submits that in fact the petitioner is already having litigation with Sansar Singh and in this context, he has referred to the complaint (Annexure P-2) dated 16.03.2023 already pending in the Court of learned Judicial Magistrate Ist Class, Jalandhar, whereas the instant FIR has been registered thereafter on 31.08.2023.*

*5. Learned State counsel has referred to the reply submitted by the police. In these circumstances of the case, the petitioner is directed to join the investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the trial Court/Duty Magistrate. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.*

*6. List on 16.02.2024.'*

4. Learned State counsel on instructions from ASI Lakhwinder Singh, informs the Court that the petitioner has joined the investigation and

is neither required for further investigation nor for any custodial interrogation.

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 23.01.2024 passed by this Court, interim bail granted vide order dated 23.01.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.

7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

16.02.2024  
puneet

(SANJIV BERRY)  
JUDGE

- |     |                            |        |
|-----|----------------------------|--------|
| i)  | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable?        | Yes/No |