

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-63296-2023(O&M)
Date of decision: 28.02.2024

Jaspreet Singh
...Petitioner
Versus
State of Punjab
...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. D.S. Virk, Advocate for the petitioner.
Ms. Avneet, AAG., 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.139 dated 15.10.2023, under Sections 120-B and 420 of Indian Penal Code, 1860 and Section 13 of Punjab Travel Professional Regulation Act, 2014, registered at Police Station, Shambhu, District Patiala.

(2) Allegations are that petitioner hatched a conspiracy with co-accused-Shamsher Singh-travel agent and Baby Kaur and duped complainant-Sarabjit Singh of an amount of Rs. 8 lakh on the pretext of sending him abroad.

(3) This Court while issuing notice of motion on 15.12.2023, granted interim bail to the petitioner and which reads as under:-

*“Contends inter alia that petitioner has not received any money; rather payment, if any, was transferred in the account of co-accused Shamsher Singh and he is stated to be absconding. Also contends that there is no other criminal case pending against the petitioner.
Notice of motion for 16.01.2024.*

Mr.C.L. Pawar, Addl. A.G., Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.

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

- (4) Learned Counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.
- (5) Learned State Counsel on instructions from ASI-Balbir submits that in pursuance of aforesaid order, petitioner has joined investigation and as on today, his custodial interrogation is not required.
- (6) In view of above, interim order dated 15.12.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
- (7) It is also made clear that 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 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.

28.02.2024

Harish Kumar

(MAHABIR SINGH SINDHU)

JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No