

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-65387-2023
DECIDED ON: 10.01.2024

HARPREET SINGH
.....PETITIONER

VERSUS

STATE OF PUNJAB
.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. A K Maleri , Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

1. The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.0256, dated 09.10.2023, under Sections 420, 120-B of IPC, 1860 and Section 13 of Punjab Travel Professionals (Regulation) Act, 2014, registered at Police Station Islamabad, Amritsar (Annexure P-1).
2. In pursuance of the order dated 27.12.2023, learned counsel for the petitioner submits that the alleged amount i.e., Rs. 1,60,000/- involved in the instant FIR has been returned back to the complainant by way of three demand drafts dated 04.01.2024 amounting to Rs.70,000/-, Rs.70,000/- and Rs. 20,000/- respectively. The same are taken on record.
3. In view of the above, learned counsel for the petitioner prays for grant of concession of anticipatory bail to the petitioner stating that the petitioner has neither deliberately nor intentionally committed any offence, which could be within the ambit of Section 420 & 120-B of IPC.
4. Notice of motion.

5. On the asking of Court, Mr. Anmol Singh Sandhu, AAG Punjab accepts notice on behalf of respondent-State, who on instructions from ASI Lakhwinder Singh states that custodial interrogation of the petitioner at this stage is not required, subject to his joining of investigation, as and when called upon by the Investigating Officer during the ordinary course.

6. Heard, learned counsel for both the parties.

7. Looking into the totality of the facts and the stand taken by the Investigating Officer present in Court to assist learned State counsel, the present petition deserves to be allowed. Hence, the present petition is disposed of with a direction to the petitioner to join the investigation, subject to his furnishing personal/security bonds to the satisfaction of Arresting/Investigating Officer. He shall join the investigation on 12.01.2024 at 10.00 AM with the Investigating Officer. However, it is made clear that in case the petitioner fails to join the investigation on the stipulated date and time given by this Court, respondent-State is at liberty to file an appropriate application for cancellation of anticipatory bail granted by this Court. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

8. The said demand drafts have been handed over to the Investigating Officer, who undertakes to furnish the same to the complainant within two days.

9. Ordered accordingly.

(SANDEEP MOUDGIL)
JUDGE

10.01.2024

Meenu

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether reportable</i>	<i>Yes/No</i>