



IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

201

CRM-M No.3491 of 2024
Date of decision: 23.01.2025

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

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr. Ankush Singla, Advocate
for the petitioner.
Mr. Sandeep Kumar, DAG, Punjab.

HARPREET SINGH BRAR J. (Oral)

1. This petition has been filed under Section 438 Cr.P.C.
seeking anticipatory bail in case bearing FIR No.589 dated 22.12.2023
registered under Sections 420, 406 IPC at Police Station City Barnala,
District Barnala.

2. On 28.02.2024, the following order was passed:-

“XX XX XX XX
A compromise has been arrived at between the
parties for an amount of Rs.39,00,000/- and a sum of
Rs.13,00,000/- already stands paid to the complainant.

Adjourned to 15.04.2024.

In the meantime, the petitioner is directed to appear
before the SHO/Investigating Officer to join investigation
and in the event of his arrest, he shall be released on bail
on his furnishing bail bonds to the satisfaction of
SHO/Investigating Agency subject to the following
conditions as envisaged under Section 438(2) Cr.P.C:-

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i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;

ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

Meanwhile, the State counsel is directed to file an affidavit as to the exact role of the petitioner along with the details of pending FIRs, if any, on or before the next date of hearing.”

3. Learned counsel for the petitioner *inter alia* contends that the petitioner has joined the investigation and the custodial interrogation of the petitioner is not required and he is not involved in any other case. Further, the offences under which the FIR has been registered is punishable upto 07 years.

4. Learned State counsel, on instructions from ASI Saudagar Singh, at the very outset, informs the Court that the petitioner has joined the investigation and his custodial interrogation is not required.

4. In view of the statement of learned State counsel as well as the law enunciated by the Hon’ble Supreme Court in ***Satender Kumar Antil vs. CBI (2022) 10 SCC 51; Siddharam Satlingappa Mhetre vs. State of Maharashtra and others 2010 SCC OnLine SC 137; Gurbaksh Singh Sibbia etc. vs. State of Punjab (1980) 2 SCC 565,***



Arnesh Kumar vs. State of Bihar (2014) 8 SCC 273 and Sushila Aggarwal vs. State of NCT Delhi 2020 (1) RCR (Criminal) 833, this petition is allowed and the order dated 28.02.2024 is hereby made absolute. The petitioner shall abide by the terms and conditions envisaged under Section 482(2) of BNSS (*erstwhile Section 438(2) of the Code of Criminal Procedure, 1973*).

5. The petition stands disposed of.

(HARPREET SINGH BRAR)
JUDGE

23.01.2025
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No