



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-41193-2024
Date of decision: 03.04.2025

DOCTOR FAROOQ MASIH ALIAS FAROOQ
....PETITIONER

Versus

STATE OF PUNJAB ...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Ritesh Pandey, Advocate
for the petitioner.

Mr. Rajinder Singh Bhatta, DAG, Punjab..

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 482 of BNSS, 2023, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
58	29.06.2024	420, 506 of IPC and 13 of Punjab Prevention of Human Smuggling Act, 2012	Qila Lal Singh District Batala.

2. Learned counsel for the petitioner submits that in compliance to the order dated 23.08.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 23.08.2024.
3. Learned State counsel, on instructions from ASI Dharminder Singh, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial interrogation.



CRM-M-41193-2024

2

4. During the course of hearing on 23.08.2024, following order was passed:

“ The FIR was lodged at the instance of Sawinder Singh wherein it has been alleged that he has been cheated by the petitioner of an amount of Rs.3.40 lakhs on the pretext of sending him abroad.

Learned counsel submits that the instant FIR is a misuse of process of law inasmuch as another FIR pertaining to similar accusation was also lodged i.e. FIR No.4, dated 17.1.2024 Police Station Dhariwal, District Gurdaspur, under Section 420 IPC (Annexure P-2) wherein the petitioner has already been granted regular bail.

Notice of motion for 18.12.2024.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C”

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 23.08.2024 passed by this Court, interim bail granted vide order dated 23.08.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. 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



CRM-M-41193-2024

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.

(SANJIV BERRY)
JUDGE

03.04.2025
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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |