

**215 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-M No. 39102 of 2023 (O&M)  
Date of decision : 14.11.2023**

Daljit Singh ..... Petitioner

versus

State of Punjab ..... Respondent

**CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN**

**\*\*\***

Present :- Mr. Ramnish Puri, Advocate  
for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Paras Jhamb, Advocate  
for Mr. D.S.Sobti, Advocate  
for the complainant.

**\*\*\***

**PANKAJ JAIN, J. (ORAL)**

1 On 10.08.2023 the following order was passed:-

*“Apprehending his arrest in FIR No. 70 dated 05.05.2023 for offences punishable under Sections 420, 465, 467, 468, 471 and 34 IPC, 1860 registered at Police Station City Kamboj, District Amritsar, the petitioner has preferred this petition under Section 438 Cr.P.C seeking pre-arrest bail.*

*Learned counsel for the petitioner inter alia contends that even if the allegations levelled in the FIR are taken on the face value the same relate to allurement by Ravinder Singh @ Robin Singh. It is an admitted case that the cash was handed over to Ravinder Singh @ Robin Singh, though, it has been alleged that the petitioner was also present and accompanying Ravinder Singh @ Robin Singh.*

*Notice of motion.*

*Mr. M. S. Nagra, Asstt. Advocate General, Punjab who is present in Court accepts notice and prays for some time.*

*Mr. G. S. Verma, Advocate and Mr. D. S. Sobti, Advocate has put in appearance on behalf of the complainant and have filed vakaltnama and Memo of Appearance. The same is taken on record. They oppose the pre-arrest bail claiming that presence of the petitioner being there and in his presence the money having been handed over to Ravinder Singh @ Robin Singh will drive home guilt against the petitioner as well.*

*In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C.*

*To come up on 14.11.2023.”*

2 Learned State counsel on instructions from ASI Avtar Singh has stated that pursuant to the order dated 10.08.2023 the petitioner has joined investigation and is no longer required for custodial interrogation.

3 Mr. Paras Jhamb, Advocate for the complainant refers to Annexure P-2 i.e. judgment passed in proceedings under Section 13-B of Hindu Marriage Act, 1955 whereby marriage between main accused Ravinder Singh and his wife Kamalsheel Kaur stands annulled to submit that the petition was presented on 28.02.2022 and was allowed on 08.09.2022 whereas the allegations in the present FIR relate to period prior to 28.02.2022 and thus submits that the proceedings under Section 13-B cannot have any bearing on the present proceedings and it is a case wherein Kamalsheel Kaur and her father i.e. the present petitioner were indeed acting in cahoots with the main accused Ravinder Singh.

4           Having heard rival contentions and after going through records of the case, counsel for the complainant is not in a position to dispute the fact that the allegations *qua* allurement and with respect to payment is against main accused Ravinder Singh or at the most against his erstwhile wife Kamalsheel Kaur and not against the present petitioner.

5           In view of above, the interim order dated 10.08.2023 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

6           This order should not be treated as "blanket" order. It will not be read granting petitioner indefinite protection from arrest. It shall be confined to the FIR mentioned *ibid* and will not operate in respect of any other incident that involves commission of an offence.

7           This order does not in any manner limit or restrict the rights or duties of the police or investigating agency, to investigate into the charges against the petitioner.

8           The petitioner shall be deemed to be in custody for the purpose of Section 27 of the Evidence Act, 1872 in regard to a discovery of facts made in pursuance of information supplied by the petitioner in case the occasion arises.

9           It will be open to the police or the investigating agency to move this court for a direction under Section 439 (2) Cr.P.C. to arrest the accused, in the event of violation of any term, such as absconding, non-cooperating during investigation, evasion, intimidation or inducement to witnesses with a view to influence outcome of the investigation or trial.

10          Petition stands disposed off.

11 Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

**( PANKAJ JAIN )  
JUDGE**

**14.11.2023**

*Pooja sharma-I*

Whether speaking/reasoned  
Whether Reportable :

Yes  
No