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**(2011) 03 P&H CK 0730**

**High Court Of Punjab And Haryana At Chandigarh**

**Case No:** Criminal Miscellaneous No. M-19033 of 2010

Gurvinder Singh

APPELLANT

Vs

State of Punjab

RESPONDENT

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**Date of Decision:** March 29, 2011

**Acts Referred:**

- Criminal Procedure Code, 1973 (CrPC) - Section 173, 438, 438(2)
- Penal Code, 1860 (IPC) - Section 420

**Hon'ble Judges:** Rajan Gupta, J

**Bench:** Single Bench

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### **Judgement**

Rajan Gupta, J.

This is a petition filed u/s 438 of the Code of Criminal Procedure seeking pre-arrest bail in a case registered against the Petitioner vide FIR No. 102 dated 05.06.2010 u/s 420 IPC at Police Station Chhehartta, Amritsar.

2. Learned State counsel at the outset seeks permission of this Court to place on record reply by way of affidavit of Commissioner of Police, Amritsar city. The prayer is accepted. Affidavit is taken on record. Learned State counsel submits that investigation in this case has already been completed and challan is likely to be presented before the competent Court of jurisdiction shortly.

3. Learned Counsel for the Petitioner submits that the Petitioner joined investigation during the proceedings and shall face the trial in case name of the Petitioner figures in the final report submitted by the police. Mr. Chaudhri has emphasized that in the initial version, the complainant had named Danish Immigration as the main accused as well as owner thereof (Onkar Singh). He, however, submits that he shall take all these pleas at the relevant stage before the trial Court.

4. In view of the fact that investigation of the case has been completed and stand of the investigating agency is that it is likely to submit its final report u/s 173 Code of Criminal

Procedure. before the competent Court of jurisdiction shortly, I am of the considered view that interim order dated July 07, 2010 needs to be made absolute. This, however, will be subject to the provisions as envisaged u/s 438(2) Code of Criminal Procedure.

Disposed of.