

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

**CRM No.M-2882 of 2015
Date of Decision:- 11.02.2015**

Sukhdev Singh Gill

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

**Present: Mr. P.P.S. Duggall, Advocate,
for the petitioner.**

**Mr. J.S. Sekhon, Assistant Advocate General, Punjab
for the State.**

MEHINDER SINGH SULLAR, J.(oral)

The petitioner has preferred the instant petition for the grant of anticipatory bail, in a case registered against him along with his other co-accused, vide FIR No.22 dated 14.04.2012, on accusation of having committed the offences punishable under Sections 420 and 120-B IPC, by the police of Police Station Mullapur Garibdas, District S.A.S. Nagar, Mohali.

2. Notice of the petition was issued to the State.

3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and after considering the entire matter deeply, to my mind, the present petition for anticipatory bail deserves to be accepted in this context.

4. During the course of preliminary hearing, the following order was passed by this Court on January 28, 2015: -

“Learned counsel, inter alia, contended that the petitioner was working as Area Sale Manager at Ferozepur of, Credent Technologies Private Limited Co. He has got no connection with the alleged offences, which are relatable to the agreement dated 30.10.2010, whereas the police now intends to arrest him (petitioner) after a gap of more than four years, without any cogent reasons. The argument is that even the grievance of the complainant is that company did not pay the commission. The dispute is purely of a civil nature and nothing is to be recovered from the petitioner.

Heard.

Notice of motion be issued to the respondent, returnable for 11.02.2015.

Meanwhile, the petitioner is directed to join the investigation before the next date of hearing. In the event of his arrest, the Arresting Officer would admit him to bail on his furnishing adequate bail and surety bonds in the sum of Rs. 25,000/- to his satisfaction.”

5. At the very outset, on instructions from ASI Avtar Singh, learned State Counsel has acknowledged the relevant factual matrix and submitted that the petitioner has already joined the investigation. He is no longer required for further interrogation, at this stage. There is no history of his previous involvement in any other criminal case. Moreover, all the offences alleged against the accused are triable by the Court of Magistrate. Even, since the prosecution has not yet submitted the final police report (challan) against the accused, so, the final conclusion of trial will naturally take a long time.

6. In the light of aforesaid reasons and taking into consideration the totality of peculiar facts and special circumstances, emanating from the record, as discussed here-in-above and without commenting further anything on merits, lest it may prejudice the case of either side during the

course of trial, the instant petition for anticipatory bail is accepted. The interim bail already granted to the petitioner, by virtue of indicated order of this Court, is hereby made absolute, subject to the compliance of the conditions, as contemplated under Section 438(2) Cr.P.C.

Needless to mention that, nothing observed here-in-above, would reflect, in any manner, on merits of the case, as the same has been so recorded for a limited purpose of deciding the present petition for anticipatory bail. At the same time, in case, the petitioner does not cooperate or join the investigation, the prosecution would be at liberty to move a petition for cancellation of his bail, in this Court.

February 11, 2015
naresh.k

(MEHINDER SINGH SULLAR)
JUDGE