

205

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-32126 of 2015

Date of decision: November 19, 2015

Manohar Lal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. Gurcharan Dass, Advocate
for the petitioner.

Mr. R.P.S. Sidhu, AAG Punjab.

SABINA, J

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.100 dated 24.08.2015, under Sections 205, 467, 468, 471 of Indian Penal Code, 1860, registered at Police Station Nihal Singh Wala, District Moga.

While issuing notice of motion, following order was passed by this Court on 19.09.2015:-

“Learned counsel for the petitioner has submitted that Sunder Singh or Balwinder Singh were not party to the civil suit filed by the petitioner. Moreover, petitioner had already been granted interim injunction by the trial Court vide order dated 07.02.2015 (Annexure P-4). There was no occasion for the petitioner to have sent any letter to Sunder Singh or Balwinder Singh. In fact, petitioner has been falsely involved in the case as Sunder Singh had faced criminal

proceedings in FIR No.104 dated 31.10.2004, under Sections 307, 323, 34 of Indian Penal Code, 1860 ('IPC' for short), registered at Police Station Nihal Singh Wala. In the said proceedings, Sunder Singh was convicted and sentenced qua commission of offences punishable under Sections 307, 323, 34 IPC. In the said case, Jugraj Singh cousin brother of the petitioner had suffered injuries. Brother of the petitioner had appeared as a witness in the said case.

Notice of motion for 19.11.2015.

In the meantime, in the event of arrest, petitioner be admitted to interim bail subject to the satisfaction of the Arresting Officer. Petitioner shall abide by the conditions envisaged under Section 438(2) of the Code of Criminal Procedure, 1973."

Learned State counsel who is assisted by Head Constable Jagsir Singh has submitted that the petitioner has joined investigation and is not required for further investigation.

Accordingly, interim bail granted to the petitioner by this Court vide order dated 19.09.2015, is made absolute.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

November 19, 2015
mahavir