

201-2

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-43881 of 2013

Date of decision: September 18, 2015

Sharanjit Aujla

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE SABINA

Present: Mr. J.S. Rattu, Advocate for
Mr. O.P. Hoshiarpuri, Advocate
for the petitioner.

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

Mr. K.D.S. Sodhu, Advocate
for the complainant.

SABINA, J

Petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in FIR No.192 dated 20.07.2013, under Sections 406, 420 of Indian Penal Code, 1860 ('IPC' for short) (Section 120-B IPC added lateron), registered at Police Station Phillaur, District Jalandhar.

While issuing notice of motion, following order was passed by this Court on 30.12.2013:-

"This is a petition under section 438 Cr.P.C seeking the benefit of pre-arrest bail in case FIR No.192 dated 20.7.2013 under Sections 406, 420 of the I.P.C and under Section 120-B I.P.C (added later on) registered at Police Station, Phillaur.

Learned counsel for the petitioner would contend that the only property that the petitioner had purchased from the complainant, was a Kothi

behind the B.D.P.O Office, Phillaur for a sale consideration of Rs.25 lacs. Towards substantiating such assertion counsel would contend that a payment of Rs.20 lacs vide cheque no.942644 dated 28.4.2012 drawn on Canara Bank, had been issued to the complainant and which was duly credited to his account. In this regard counsel would even refer to the statement of account appended at Annexure P-3. It is argued that the allegations contained in the FIR against the petitioner are totally unfounded.

Notice of motion, returnable on 17.1.2014.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned State counsel who is assisted by Assistant Sub Inspector Sukhwinder Singh has submitted that petitioner has joined investigation and is not required for further investigation.

Accordingly, interim bail granted to the petitioner by this Court vide order dated 30.12.2013, is made absolute.

Petition stands disposed of accordingly.

**(SABINA)
JUDGE**

September 18, 2015
mahavir