

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

**CRM No.M-42485 of 2014
Date of Decision:- 13.01.2015**

Dinesh Bansal and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR

**Present: Mr. Ashok Bhardwaj, Advocate,
for the petitioner.**

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

MEHINDER SINGH SULLAR, J.(oral)

The petitioners have preferred the instant petition for the grant of anticipatory bail, in a case registered against them, vide FIR No.172 dated 25.11.2014, on accusation of having committed the offences punishable under Sections 420 and 406 IPC, by the police of Police Station Dhuri, District Sangrur.

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 December 12, 2014 :-

“Learned counsel, inter alia, contended that the petitioners have been falsely implicated in this case by the complainant, who is National Vice President of Youth Akali Dal (Ruling Party) in order to wreak vengeance and on account of political rivalry. The argument is that the complainant has fabricated a false story in order to involve the petitioners in the commission of crime in question. Moreover, even the dispute is purely of a civil nature, which was given the colour of criminal prosecution.

Heard.

Notice of motion be issued to the respondent, returnable for 13.01.2015.

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

5. At the very outset, on instructions from ASI Kulwant Singh, learned State Counsel has acknowledged the relevant factual matrix and submitted that the petitioners have already joined the investigation. They are no longer required for further interrogation, at this stage. There is no history of their previous involvement in any other criminal case. 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. Moreover, the dispute is purely of a civil nature.

6. In the light of aforesaid reasons and taking into consideration the totality of facts and 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 petitioners, 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 petitioners do not cooperate or join the investigation, the prosecution would be at liberty to move a petition for cancellation of their bail, in this Court.

January 13, 2015
naresh.k

(MEHINDER SINGH SULLAR)
JUDGE