

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

Crl. Misc. No.M- 44155 of 2014(O&M)

Date of Decision: February 12, 2015.

Aman Lamba

..... PETITIONER (s)

Versus

State of Punjab

..... RESPONDENT (s)

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

Present: Mr. Pradeep Virk, Advocate
for the petitioner.

Mr. Gurinder Jit Singh, DAG, Punjab.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

LISA GILL, J.

Petitioner prays for anticipatory bail in FIR No.12 dated 09.03.2014, under Sections 420/120B IPC, registered at police station Tibber, Gurdaspur.

Learned counsel for the petitioner contends that petitioner – Aman Lamba has been falsely implicated in this case only due to his relationship with the main accused – Manoj Kumar, who is his father-in-law. While referring to the alleged agreement dated 11.02.2013, Annexure P2, it is contended that the

earnest money, if any, has been received by co-accused Manoj Kumar. Petitioner is only an attesting witness to that document. Co-accused Manoj Kumar and his son Abhilaksh have been granted bail pending trial on 28.03.2014 by the learned trial court. Petitioner has very well been residing at his given address. His statement had been recorded by the Investigating Officer even prior to the registration of FIR. His custodial interrogation is not required and no recovery is to be effected from him. Pursuant to order dated 06.01.2015, petitioner has joined investigation.

Learned counsel for the State, on instructions from ASI Jasbir Singh, verifies that the petitioner has indeed joined investigation. However, it is submitted that recovery of ₹5,00,000/- is to be effected from the petitioner. It is not disputed that petitioner is the attesting witness to the document at Annexure P2 and is the son-in-law of co-accused Manoj Kumar.

There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Keeping in view the facts and circumstances of the case but without commenting or expressing any opinion on merits thereon, it is considered just and expedient to allow this petition.

Consequently, order dated 06.01.2015 is made absolute.

Petition is allowed.

February 12, 2015.
'om'

(LISA GILL)
JUDGE