

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-4605 of 2015 (O&M)

Date of Decision: 7.4.2015

Darshan Singh @ Buta Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case F.I.R. No. 174 dated 7.11.2013 under sections 420, 465, 467, 468, 471, 474, 120-B I.P.C registered at Police Station Sarabha Nagar, District Ludhiana.

On 13.2.2015, while issuing notice of motion, the following order was passed by this Court:-

“Learned counsel, inter alia, contended that petitioner Darshan Singh @ Buta Singh son of Charan Singh, has been falsely implicated in this case by the complainant, in order to put pressure and to wreak vengeance. He has genuinely signed the agreement to sell. He is not, in any way, beneficiary from the transactions in question. The argument is that all the main allegations of cheating etc. are assigned to his other co-accused Darshan Singh son of Dharam Singh and others. Moreover, nothing is to be recovered from him.

Heard.

Notice of motion be issued to the respondent, returnable for 09.03.2015.

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.”

Learned State counsel upon instructions from ASI Sukhwinder Singh would apprise the Court that the petitioner has since joined investigation and no recovery is to be effected from him. That apart, even the observations made by this Court in the notice of motion order have gone un rebutted.

Under such circumstances, custodial interrogation of the petitioner would not be necessary.

Accordingly, the present petition is allowed. Order dated 13.2.2015, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

April 07, 2015
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