

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-4880 of 2015 (O&M)
Date of Decision: 18.05.2015

Nirmolak Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE R.P. NAGRATH

- 1. *Whether Reporters of the 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?***

Present: Mr. S.P.S. Sidhu, Advocate
for the petitioner.

Mr. Gazi Mohd., AAG, Punjab
for the State.

R.P. Nagrath, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.05 dated 27.12.2014 registered under Sections 420, 465, 468, 471, 379, 120-B IPC, Police Station NRI Ferozepur, District Ferozepur.

When the matter was listed on 20.02.2015, the following order was passed:

“The allegations are that Gurdeep Singh had executed

power of attorney in favour of his brother-in-law Jit Singh @ Harjit Singh. Gurdeep Singh died on 28.5.2008. It is stated that Harjit Singh who happens to be brother-in-law of the deceased ante dated agreement dated 30.7.2005 on the basis of which Civil Suit was filed in the year 2009, which is still pending. The factum of ante dating the document can be easily verified by the police.

Let the petitioner join the investigation within next four working days and disclose all the facts to the police. In the event of arrest of the petitioner, he will be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions contained in Section 438(2) Cr.P.C. The petitioner shall also assist the Court in getting the copy of the agreement from the civil Court where it is stated to be filed and if it is not filed in civil Court, he will surrender the same before the police. Police is directed to verify whether the agreement is genuine or ante dated.

Adjourned to 19.3.2015.”

Learned State counsel on instructions from ASI Gurmej Singh submits that petitioner has joined the investigation but recovery of tractor trolley and combine is to be made from the petitioner.

It is submitted by learned counsel for the petitioner that original agreement is lying in the record of civil suit pending between

the parties. With regard to the tractor trolley, no registration number is available with the investigating officer as the same is to be supplied by the petitioner. There was also a combine with which crop was harvested. For that purpose petitioner would join investigation on 26.05.2015 and keep on cooperating with the same.

With the aforesaid direction, the interim bail granted to the petitioner vide order dated 20.02.2015 is made absolute. The petitioner shall abide by the conditions as enshrined in Section 438 (2) Cr.P.C. In case the petitioner fails to appear on 26.05.2015 as stipulated above, the concession granted to him shall stand automatically vacated.

Petition stands disposed of.

(R.P. Nagrath)
Judge

18.05.2015
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