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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M No.81 of 2015****Date of Decision: 09.03.2015****Kulwinder Singh****.....Petitioner****Vs****State of Punjab****.....Respondent****CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH**

Present: Mr. Achin Gupta, Advocate
for the petitioner.

Mr. Arshdeep S. Kler, D.A.G., 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?*

RAJ MOHAN SINGH, J.

Learned counsel for the petitioner submits that in pursuance of the order dated 19.01.2015, petitioner-Kulwinder Singh has joined the investigation.

Mr. Kler, DAG, Punjab on instructions from ASI Makhan Masih, who is present in Court however, submits that recovery has not been effected from the petitioner so far.

The claim of the State has been refuted by the petitioner in the context of allegation made in the FIR. Learned counsel for the petitioner states that in the FIR entire payment is shown to have been received by Gurtej Singh. It is only in the subsequent portion of

the FIR a passing reference has been made to the effect that on the day of agreement to sell, accused Gurmail Singh, Kulwinder Singh and Bhajan Singh (police employee) came with him to collect the amount.

Learned counsel for the petitioner further states that the aforesaid Bhajan Singh (police employee) has not been arrayed as accused in the present case.

Looking to the entire prosecution story, petitioner-Kulwinder Singh has been attributed the role of one of the attesting witness to the agreement to sell and he along with others is shown to have accompanied the main accused Gurtej Singh, however, no such payment is directly made to the petitioner.

Since the petitioner has already joined the investigation and he shall keep on joining the investigation as and when called upon to do so by the Police.

In view of the above, interim order dated 19.01.2015 is made absolute.

Petitions stands disposed of.

March 09, 2015

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**(RAJ MOHAN SINGH)
JUDGE**