

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

CRM-M -11899 of 2016 (O&M)
Date of decision: 29.09.2016

Prithi Pal Singh @ Pritpal Singh and another

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. R.S. Bajaj, Advocate
for the petitioners.

Ms. Harsimrat Rai, DAG, Punjab.
assisted by ASI Baldev Singh.

Mr. Ramesh Chand, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioners have sought anticipatory bail in FIR No.11 dated 11.02.2016, registered under Sections 420 and 406 IPC, at Police Station Begowal, District Kapurthala.

On 06.04.2016, this Court had passed the following order:-

“Petitioners apprehend arrest in a case registered at the instance of Gurnam Singh complainant alleging that he has been promised a Gas Agency by the petitioners and others but the complainant has been duped. The order passed by the Additional Sessions Judge, Kapurthala, appears to be as vague as the allegations in the FIR.

Counsel for the petitioners has submitted that the complainant had applied for Gas Agency at Kapurthala by depositing the security as required under the rules. He has further submitted that the complainant had been granted Gas Agency but on account of mismanagement said agency has been cancelled.

There is no dispute that the petitioners and the complainant have signed compromise Annexure P2 in this context and submitted to the concerned police officials.

Notice to the Advocate General, Punjab, for 10.5.2016.

Meanwhile, an interim direction is issued that the petitioners will join investigation on 16.4.2016. In case of petitioners doing so, they will be released on interim bail to the satisfaction of the arresting officer. ”

It is contended that the complainant earlier moved a complaint dated 08.11.2013 (Annexure P-1) wherein the compromise was effected between the parties as reflected in Annexure P-2. He further states that without reference to the compromise (Annexure P-2), the complainant has filed another complaint on the basis of which the instant FIR was registered. In pursuance of the order dated 06.04.2016, the petitioners have repeatedly joined the investigation.

The learned State counsel, on instructions submits that the petitioners have joined the investigation and they are not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide

order dated 06.04.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

29.09.2016

(JITENDRA CHAUHAN)
JUDGE

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Whether speaking/reasoned :	Yes	No
Whether Reportable:	Yes	No