

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

CRM-M No.1367 of 2016 (O&M)

Date of Decision : 29.09.2016

Avtar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. A.S.Dhaliwal, Advocate for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG, Punjab.

AJAY TEWARI, J. (Oral)

On 14.01.2016 the following order was passed :-

“Petitioner seeks the concession of anticipatory bail in case FIR No.272, dated 06.12.2015, under Sections 419/420/465/467/468/471/120-B IPC, registered at Police Station City Jagraon, District Ludhiana (Rural).

Complainant is Gurmeet Kaur w/o Chamkaur Singh. Allegations as per FIR are that the present petitioner Avtar Singh has sold the trucks which were in the name of one Sukhdev Singh who had died on 01.05.2007 by preparing forged and fictitious documents.

Learned counsel would contend that deceased Sukhdev Singh was the real brother of the present petitioner and the complainant is neither a victim nor the beneficiary as regards selling of any vehicle which may have been done by the present petitioner. It has further been contended that the present FIR is a mere counter blast to FIR No.97 dated 30.04.2010 under Sections 420/120-B IPC registered at Police Station Sadar Jagraon, District Ludhiana (Rural) which was registered against the complainant Gurmeet Kaur by the petitioner on the

allegation that an agreement to sell had been set up forging the signatures of deceased brother of the present petitioner. It is submitted that pertaining to such FIR, which was registered in the year 2010, complainant Gurmeet Kaur is facing trial.

Notice of motion, returnable on 09.03.2016.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

Learned Additional Advocate General, on instructions from H.C. Darshan Singh accepts the fact that the petitioner has joined the investigation and is no more required for custodial interrogation.

In these circumstances, I do not deem it appropriate to deny anticipatory bail to the petitioner.

Resultantly, the petition is allowed. The interim order dated 14.01.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(**AJAY TEWARI**)
JUDGE

29.09.2016
pooja sharma-I

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No