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

**C.R.M-M No.14221 of 2016
Date of Decision : 16.08.2016**

Amrit Pal Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Mr. Kiran Kumar, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.298 dated 11.12.2013, registered under Sections 406, 420 IPC at Police Station City Kapurthala.

Learned counsel for the petitioner states that even though this Court had directed the Arresting Officer to release the petitioner on interim bail in the event of arrest but the petitioner was arrested and

brought before the Magistrate but states that he would avail appropriate remedy for that infraction.

On 09.05.2016 the following order was passed:-

“Counsel would submit that the allegations raised by the complainant are with regard to a consignment of potatoes having been purchased and two cheques of Rs.2 lacs each having been issued in the name of the complainant and the same upon presentation having been dishonored.

Counsel would inter alia argue that the dispute is essentially civil in nature. The signatory of both the cheques is not the petitioner but his father and for which proceedings under Section 138 of the Negotiable Instruments Act already stand initiated by the complainant.

Notice of motion, returnable for 16.8.2016.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/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
ASI Lakhbir Singh has stated that the petitioner has joined the
investigation and he is no more required for custodial interrogation.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case. Ordered accordingly.

Resultantly, the interim order dated 09.05.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

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

August 16, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No