

CRM-M No.15255 of 2016 (O&M)

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

**CRM-M No.15255 of 2016 (O&M)
Date of Decision : 27.09.2016**

Gurmit Singh @ Chuhar Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Sarju Puri, Advocate
for the petitioner.

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

AJAY TEWARI, J. (Oral)

This is a petition for grant of pre-arrest bail to the petitioner under Section 438 Cr.P.C. in case FIR No.38 dated 02.03.2016 registered under Sections 409/420/465/467/468/471/201/447/120-B IPC at Police Station City Nawanshahar, District SBS Nagar.

On 05.05.2016 the following order was passed:-

“Petitioner seeks the concession of pre-arrest bail in a case registered at the instance of Bakshish Singh alleging that he is an NRI. The petitioner, pursuant to partition proceedings had transferred the lad to the complainant and got mutations sanctioned but later on he got the mutations

cancelled and on the basis of the revenue record obtained a loan of Rs.10 lacs from the financial institution.

Petitioner claims that a civil suit regarding the ownership is pending.

The dispute appears to be amongst the relations regarding right in the property.

Notice to Advocate General, Punjab, for July 19, 2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on May 14, 2016 and in case of his doing so, he will be released on interim bail to the satisfaction of the arresting officer.”

Learned Additional Advocate General, on instructions from ASI Jarnail 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 05.05.2016 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

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

27.09.2016

pooja sharma-I

**(AJAY TEWARI)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No