

CRM-M No.18474 of 2016 (O&M)

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

**CRM-M No.18474 of 2016 (O&M)
Date of Decision : 09.09.2016**

Nachattar Singh and another

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Ramesh Chand Sharma, Advocate
for the petitioners.

Mr. R.S.Randhawa, Addl. A.G., Punjab.

AJAY TEWARI, J. (Oral)

On 30.05.2016 the following order was passed:-

“The present petition has been filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioners in case FIR No.83 dated 07.05.2016 under Sections 406/420 IPC, registered at Police Station Nakodar, District Jalandhar.

FIR has been registered on the complaint of Harnek Singh Sidhu with the allegations that he has been duped of a sum of Rs.3.65 lacs by the accused party on the pretext of sending him to America.

Counsel would argue that it is case of false implication. Tractor belonging to petitioner No.1 was stolen and in this regard, a complaint had been lodged in the Court of learned Chief Judicial Magistrate, Nakodar on 01.04.2016 against complainant/Harneek Singh Sidhu and the matter is now fixed for hearing on 16.07.2016.

It is contended that the FIR is nothing but a counter-blast to the complaint lodged by petitioner No.1 against the complainant.

Notice of motion, returnable for 09.09.2016.

In the meanwhile, petitioners are directed to appear before Investigating Officer and to join investigation.

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

Learned Additional Advocate General, on instructions from ASI Manjit Singh accepts the fact that the petitioners have joined the investigation and are no more required for custodial interrogation.

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

Resultantly, the petition is allowed. The interim order dated 30.05.2016 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.

09.09.2016
pooja sharma-I

(AJAY TEWARI)
JUDGE

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No