

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

CRM-M -22843 of 2016 (O&M)
Date of decision: 05.10.2016

Harnek Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. S.S. Sidhu, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab.
assisted by ASI Ramesh Chander.

Mr. J.S. Grewal, Advocate for the complainant.

Jitendra Chauhan, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.12 dated 15.02.2016, registered under Sections 420, 465, 467, 468, 471, 506 and 120-B IPC, at Police Station City-II Abohar, District Fazilka.

On 29.07.2016, this Court had passed the following order:-

*“Contends that the petitioner aged about 81 years has been falsely implicated being grandfather of main accused, Rajinder Kaur, who has been residing abroad. There is no allegation in the FIR either of the demand or receipt of any amount by the petitioner.
Notice of motion for 05.10.2016.*

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That he shall not leave India without prior permission of the Court."*

It is contended that the petitioner aged about 81 years has been falsely implicated being grandfather of main accused, Rajinder Kaur Rozi, who has moved abroad. There is no allegation in the FIR either of the demand or receipt of any amount by the petitioner. He further submits that main accused, Rajinder Kaur Rozi has been admitted to regular bail on her making a statement that she will repay the entire disputed amount on or before 31.12.2016, including the amount allegedly to be recovered from the petitioner. In pursuance of the order dated 29.07.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that the petitioner has joined the investigation and he is 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 29.07.2016, 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.

05.10.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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