

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

(204)

**CRM-M-23353-2015 (O&M)
Decided on: January 21, 2016.**

Jasvinder Pal Singh Walia

.... Petitioner

Versus

State of Punjab

..... Respondent

(2)

**CRM-M-30719-2015 (O&M)
Decided on: January 21, 2016.**

Davinder Singh

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

Present: Mr. Ravi Kamal Gupta, Advocate,
for the petitioner in CRM-M-23353-2015.

Mr. Aayush Gupta, Advocate,
for the petitioner in CRM-M-30719-2015.

Ms. Simsi Dhir Malhotra, DAG, Punjab.

M.M.S. BEDI, J (ORAL)

This order will dispose of two applications for grant of pre-arrest bail, one (CRM-M-23353-2015) filed by Jasvinder Pal Singh Walia and the other (CRM-M-30719-2015) filed by Davinder Singh.

The FIR was registered on the allegations of complainant Rajesh Kumar alleging that he being owner of an Audi car registered in the name of his firm M/s Lajjya Steel Limited had been given to Davinder Singh petitioner for few days for personal use but he has misappropriated

the same and not returned whereas the allegations against petitioner Jasvinder Pal Singh Walia are that he has been handed over the possession of the car by Davinder Singh. It is claimed on behalf of Jasvinder Pal Singh Walia that on account of Davinder Singh, owing huge money to him, he had handed over the car to petitioner Jasvinder Pal Singh Walia with a promise that he would get the car back on payment of the amount due to the said petitioner.

On asking of the Court, Ms. Simsi Dhir Malhotra, Deputy Advocate General, Punjab informs that Davinder Singh petitioner has joined investigation and the car in possession of Jasvinder Pal Singh Walia has been handed over to the police and the same being case property, is lying in the police station at the moment.

In view of said circumstances, it does not appear to be a case of custodial interrogation as the question of determination of culpability of the petitioners would be decided during course of trial.

Both the petitions are allowed. Interim orders passed in favour of the petitioners are hereby confirmed subject to the conditions that the petitioners will join investigation as and when required and will not tamper with the evidence or hamper the investigation in any manner.

(M.M.S. BEDI)
JUDGE

January 21, 2016
harsha