

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26293 of 2016
DECIDED ON: September 27, 2016

LAKHWINDER SINGH

.....PETITIONER..

VERSUS

STATE OF PUNJAB

....RESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Inderjit Sharma, Advocate,
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab.

JASPAL SINGH, J (ORAL)

Through the instant petition preferred under Section 438 of the Code of Criminal Procedure, Lakhwinder Singh-petitioner has sought pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.20, dated 12.05.2016, under Sections 420, 465, 467, 468, 471 and 120-B IPC, Police Station Old Shalley, Tehsil and District Gurdaspur.

2. At the time of issuance of notice of motion, following order was passed by this Court on 02.08.2016 :-

“Inter alia, it has been contended by learned counsel for the petitioner that the petitioner has nothing to do either with the property or with the persons in between whom the agreement to sell was executed. The petitioner has only signed the agreement as an attesting witness that too at the instance of the complainant. Moreover, the petitioner is not a beneficiary. There are no specific allegations against the petitioner that he connived with the other persons, who

wrongly identified the executant of the agreement.

Notice of motion to the respondent for 27.09.2016.

In the meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the conditions, as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel has fairly conceded, on instructions from ASI Daljeet Singh, that in compliance of order dated 02.08.2016, the petitioner has already joined the investigation. He is no more required for further investigation/interrogation. No recovery has been effected from him.

4. Taking into consideration the aforesaid aspects of the case but without expressing any opinion on the merits, the petition is allowed and order dated 02.08.2016 is made absolute and shall enure during the pendency of trial but subject to the conditions provided under Section 438 (2) Cr.P.C.

September 27, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*