IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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C.R.M-M No.40990 of 2016
Date of Decision : 05.12.2016

Sukhwinder Singh Shergil

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

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Present : Mr. Vaibhav Narang, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl.A.G., Punjab.

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AJAY TEWARI, J. (Oral)

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.120 dated 07.10.2016, registered under Sections 420/506 IPC, at Police Station Patti, District Tarn Taran.

The complainant had alleged that the petitioner defrauded him by giving him cheques from an account which was closed. It was the contention of the learned counsel that in fact the Bank account is still operating but the cheques had been dishonoured and the complainant in order to take a shortcut had lodged this FIR and rather DSP Davinder Singh had intentionally given a wrong report.

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authenticity of this document
Chandigarh

Today the learned Additional Advocate General on instructions from ASI Panna Lal has accepted that the bank account of the petitioner is still functional.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner in the present case. Ordered accordingly.

Resultantly, the petition is allowed. In the event of arrest of the petitioner, he shall be released on bail by the Investigating Officer subject to the conditions envisaged under Section 438(2) Cr.P.C. However, the DSP Davinder Singh is directed to appear in person in this Court on 17.12.2016 to explain how and in what circumstances he gave the report that the bank account was closed when in fact it was operating.

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

A copy of this order be given to the learned Additional Advocate General under the signatures of the Bench Secretary.

(AJAY TEWARI)
JUDGE

December 05, 2016
ashish

Whether speaking/reasoned - Yes/No

Whether reportable - Yes/No

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