

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

**CRM-M No.427 of 2016 (O&M)
Date of Decision: 15.02.2016**

Harjit Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. C.M.Munjal, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by H.C. Chanan Singh.

Mr. Satwant Singh Ranghi, Advocate and
Mr. Sahil Arora, Advocate for the complainant.

JASWANT SINGH, J. (Oral)

Present petition is for grant of anticipatory bail under Section 438 Cr.P.C. on behalf of the petitioner/accused in case FIR No.129 dated 21.12.2015, under Sections 306/34 of the Indian Penal Code, registered with Police Station Arniwala, District Fazilka.

As per the allegations levelled by the complainant-Harpreet Kaur, her husband Nirvail Singh had raised a loan of Rs.5/6 Lacs from a Commission Agent, run by the father-son duo i.e. present petitioner/accused-Harjit Singh and co-accused son Amritpal Singh @ Vicky. Although towards repayment, a sale deed of land measuring 1 Kanal 4 Marlas was executed by Nirvail Singh in favour of Amritpal Singh. Still, the blank cheque offered as a guarantee towards the other transactions was misused by filing a complaint under Section 138 of the Negotiable Instruments Act for reclaiming part of the loan, already paid. Due to persistent harassment, the husband Nirvail Singh consumed poison and committed suicide.

Learned Counsel for the petitioner submits that the present petition was filed on 06.01.2016, which was listed for urgent hearing on 08.01.2016.

After hearing, notice of motion was issued for 01.04.2016, while granting interim protection, however, the petitioner stood arrested on 07.01.2016, which fact was not in the knowledge of learned Counsel for the petitioner.

It is next submitted that after arrest, the petitioner has filed CRM-M No.4588 of 2016 seeking regular bail, which is listed for today itself.

On the oral request and with the consent of the parties, the date of hearing of present case is preponed from 01.04.2016 and the same is ordered to be listed for hearing today itself.

In view of the already arrest of the petitioner, the present petition is disposed of as infructuous.

February 15, 2016

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**(JASWANT SINGH)
JUDGE**