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

CRM-M-13936 of 2017

Date of decision: July 18, 2017

Jaimal Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE A.B. CHAUDHARI

Present: Mr. M.S. Bajwa, Advocate for the petitioner.

Ms. Samina Dhir, DAG Punjab.

A.B. CHAUDHARI, J (Oral)

Heard learned counsel for the rival parties.

This is a petition for grant of anticipatory bail to the petitioner in FIR No.23 dated 16.02.2017, under Sections 420, 467, 468, 471, 193 of Indian Penal Code, 1860, registered at Police Station City Gurdaspur, District Gurdaspur.

I have seen Section 343(2) of Code of Criminal Procedure, 1973, which reads thus:-

“343. Procedure of Magistrate taking cognizance.

xxxx

(2) Where it is brought to the notice of such Magistrate, or of any other Magistrate to whom the case may have been transferred, that an appeal is pending against the decision arrived at in the judicial proceeding out of which the matter has arisen, he may, if he thinks fit, at any stage, adjourn the hearing of the case until such appeal is decided.”

In the light of the said provision and further fact that

admission against the petitioner about making the agreement to sell dated 06.08.2001 *ante* dated, the petitioner would be entitled to grant anticipatory bail in FIR in question.

In that view of the matter, the petitioner shall be released on anticipatory bail on his furnishing bail bonds amounting to ₹10,000/- with one surety of like amount, subject to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned who may impose such conditions as deem fit and proper. Petitioner shall not tamper with the prosecution evidence, threaten or exercise any influence on the prosecution witnesses.

Petition stands disposed of, accordingly.

(A.B. CHAUDHARI)
JUDGE

July 18, 2017

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No