

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

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**CRM-29049-2017 in/and
CRM-M-23140-2017
DATE OF DECISION: 27.11.2017**

BHAGWANT SINGH AND ANOTHER ... Petitioner(s)

Versus

STATE OF PUNJAB ... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Deepak Goyal, Advocate
 for the petitioners.

Mr. Sandeep Vermani, Addl.A.G., Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioners are seeking anticipatory bail in FIR No. 63 dated 17.05.2014, under Section 420 (Sections 467, 468 and 471 IPC were added later on) registered at Police Station Amargarh, District Sangrur.

The petition qua petitioner No.1 has already been rendered infructuous vide order of this Court dated 06.09.2017.

Learned counsel for applicant/petitioner No.2 contends that while filing the application for anticipatory bail, offences under Sections 467, 468 & 471 of the IPC were not mentioned as they were added later on. He further states that applicant/petitioner No.2 is an illiterate, agriculturist and truck driver and was not aware of the addition of the Sections in the FIR. It was only when he had appeared before Investigating Officer in terms of the interim order passed by this Court on 06.09.2017, he was informed by the Investigating Officer about the addition of these sections. Learned counsel also contends that the allegations against the applicant/petitioner No.2 are that he had taken loan from Amargarh Block Rural Co-operative House Building Society Ltd. and had forged

the 'No Due Certificate'. He also contends that the applicant/petitioner No.2 had duly repaid the loan to Chet Singh, who was Secretary of the afore-said Society, in the year 2006 but the same had not been deposited by him in the account of the Society although Chet Singh had duly furnished receipt to the petitioners. The FIR has been registered in the year 2014. The non-mentioning of the aforementioned sections in the FIR appears to be inadvertent and bona fide error on the part of the applicant/petitioner No.2.

This Court, by the orders dated 06.09.2017 and 11.10.2017, had directed the petitioner No.2 to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Gorakh Nath, states that the petitioner No.2 has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for petitioner No.2 and keeping in view the fact that petitioner No.2 has joined investigation, the orders dated 06.09.2017 and 11.10.2017 granting interim bail to the petitioner No.2 are made absolute.

However, the petitioner No.2 shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

27.11.2017

SwarnjitS

**(ANUPINDER SINGH GREWAL)
JUDGE**

Whether speaking/reasoned : Yes / No
Whether reportable : Yes / No