

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM NO. M-33289 OF 2017(O&M)
DECIDED ON : 06.11.2017

Shinderpal Singh

...Petitioner

versus

State of Punjab

...Respondent

CORAM : HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present : Mr. H.S. Brar, Advocate for the petitioner.

Mr. Kanisth Ganeriwala, Assistant Advocate General,
Punjab.

Mr. Bhavyadeep Walia, Advocate for the complainant.

ANUPINDER SINGH GREWAL, J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No. 3, dated 01.07.2017, under Sections 419, 420, 465, 468, 471, 120-B IPC, registered at Police Station NRI Moga, District Moga.

Learned counsel for the petitioner contends that in the FIR, which has been lodged by the brother of the petitioner, it is alleged that he had forged the signatures of the complainant on Special Power of Attorney in the year 2015. He also contends that family settlement of the entire property owned by the brothers was effected in the year 2010 and the complainant has also filed a civil suit with regard thereto. He also contends that as the dispute was between brothers and with the consent of the counsel for the parties, the matter was referred to the mediation and conciliation centre of this Court.

The report of the mediator dated 30.10.2017 has been received, wherein, it is mentioned that counsel for the complainant

has stated that he has instruction to say that there are no chances of settlement.

In the application preferred by the complainant for vacation of the interim order, it is mentioned that the complainant was threatened by two persons on 29.10.2017. Learned counsel for the complainant further states that the complainant has left for Canada.

However, the complainant has not brought this matter to the notice of the police authorities and, therefore, it is difficult to accept the bald averments with regard to his being threatened.

This Court vide order dated 08.09.2017, had directed the petitioner to appear before the trial Court and in the event of his arrest, he was to be released on interim bail to the satisfaction of the trial Court.

Learned State counsel upon instructions from ASI Tejinder Singh states that in pursuance to the order dated 08.09.2017 the petitioner has joined investigation and is not required for custodial interrogation.

In view of the above and without expressing any opinion on the merits of case, the order dated 08.09.2017, granting ad-interim bail to the petitioner, is hereby made absolute. However, the petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C.

The petition stands disposed of accordingly.

November 06, 2017
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(ANUPINDER SINGH GREWAL)
JUDGE

Whether speaking/reasoned?
Whether reportable?

Yes
No