

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 205

CRM-M-45436-2016

Decided on : 22.03.2017

Shiv Shanker

..... Petitioner(s)

VERSUS

State of Punjab

..... Respondent(s)

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Jaiteshwar Singh, Advocate, for the petitioner(s).

Mr. Neeraj Yadav, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr. P. C., the petitioner seeks the concession of anticipatory bail in FIR No. 251, dated 22.07.2016, registered under Sections 456, 34 and 120-B IPC (Sections 380 and 427 added later on), at Police Station City Barnala, District Barnala.

Vide order dated 02.02.2017, while issuing notice of motion, this Court had ordered that in the event of arrest, the petitioner shall be admitted to ad-interim anticipatory bail, subject to the satisfaction of the arresting officer.

Seeking anticipatory bail for the petitioner, learned counsel submits that the petitioner has been falsely implicated in the case for the reason that there is civil litigation pending between the complainant and co-accused Pawan Kumar, who is petitioner's landlord; co-accused Pawan Kumar and Jasvir Kaur, who have been attributed similar roles, had earlier approached this Court through *CRM-29421-2016 in CRM-M-27869-2016* "*Pawan Kumar vs. State of Punjab*" and *CRM-M-35726-2016* "*Jasvir Kaur vs. State of Punjab*", have already been granted the concession of

anticipatory bail through orders dated 23.09.2016 and 30.11.2016 respectively and under the interim order passed by this Court, the petitioner has not only joined investigation but he has also fully cooperated with the investigating agency.

Learned State counsel, on instructions from ASI Satwinder Pal Singh, while admitting the fact that the petitioner has joined investigation and has fully cooperated with the investigating agency, submits that at this stage, the petitioner is not needed for further questioning by the investigating agency.

After considering the above submissions, the petition is allowed and the order dated 02.02.2017, granting interim anticipatory bail to the petitioner is made absolute subject to the conditions prescribed under Section 438(2) Cr. P. C.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

During the period that the bail is granted to the petitioner, if he is found indulging in any criminal/illegal activity or misusing the concession of bail granted by this Court, it would be open to the State to move an appropriate application before the competent Court/this Court for cancellation of the bail granted to the petitioner.

22.03.2017
shamsher

[DEEPAK SIBAL]
JUDGE

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