

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

CRM-M-6911-2017 (O&M)
Date of decision : 25.05.2017

Sukhwinder Singh

...Petitioner (s)

Versus

State of Punjab and another

...Respondent (s)

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present : Mr. Surinder Garg, Advocate
for the petitioner (s).

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Nirmal Singh.

JITENDRA CHAUHAN, J. (Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.124, dated 01.07.2016, registered under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC, at P.S. City Nakodar, Distt. Jalandhar.

As per office report, respondent No.2 has been residing abroad.

On 06.04.2017, the following order was passed:-

“Vide order dated 02.03.2017, the complainant Jasbir Kaur was ordered to be impleaded as respondent. However, as per office report, the newly added respondent is not residing at the given address and has gone abroad. Therefore, the order dated 02.03.2017 is recalled.

Contents that allegedly two power of attorneys, Annexure P- 2 was executed in favour of Dalbir Singh by Pritam Singh and Annexure P-3 by Jaspreet Singh son of Pritam Singh on 05.03.1991. It is alleged that said Jaspreet Singh had already died on 01.03.1984. The complainant is the

mother of said Jaspreet Singh and wife of Pritam Singh. The power of attorney (Annexure P-2), executed by the husband of the complainant is found to be valid. It is asserted that at the asking of husband of the complainant, petitioner accompanied him to identify him. The petitioner is not the beneficiary and he is only an attesting witness. The main accused, Dalbir Singh has already been admitted to regular bail. No recovery is to be effected from the petitioner.

Post again on 11.05.2017.

The petitioner is directed to join the investigation. Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:-

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer and;*
- 3. That he shall not leave India without prior permission of the Court.”*

The learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 06.04.2017, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

25.05.2017

ashok

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned:
Whether reportable:

Yes / No
Yes / No