

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

CRM-M-14506-2018 (O&M)
Date of decision: 12.11.2018

Gamdoor Singh ...Petitioner(s)

VERSUS

State of Punjab ...Respondents

CORAM: HON'BLE MR. JUSTICE RAJ SHEKHAR ATTRI

Present: Mr. Nipun Gupta, Advocate, for
Mr. Deepak Aggarwal, Advocate,
for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

RAJ SHEKHAR ATTRI, J.(Oral)

The present petition has been filed under Section 438 Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.19 dated 25.1.2018 registered for the offences punishable under Sections 379, 34 of Indian Penal Code, at Police Station Sangat, District Bathinda.

Heard.

Bikramjit Singh sold his tractor bearing registration No. PB30-L-8089 make Swaraj to the complainant. The petitioner was witness to the deal and an amount of ₹ 2 lacs was to be paid but the said amount has not been returned to the petitioner.

Learned State counsel on instructions from HC Jaswinder Singh states that the petitioner has joined the investigation and nothing is to be recovered from him. He states that the tractor has been sold by Bikramjit Singh and the petitioner has no role in the said deal and the police can

recover the tractor from the second purchaser.

Without expressing any opinion on the merits of the case, this petition is allowed and the order dated 6.4.2018 is made absolute till the presentation of challan, subject to the following terms:-

- (i) that the petitioner shall make himself available for interrogation by the police as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the accusation against him so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the prior permission of the trial Court.
- (iv) that the petitioner will seek regular bail on the presentation of challan in Court.

November 12 , 2018
Paritosh Kumar

(RAJ SHEKHAR ATTRI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No