

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-20444-2018

Date of decision: 04.09.2018

Dayal Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Ms. Amandeep Soni, Advocate
for the petitioner.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab.

Mr. Onkar Singh Batalvi, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioner in FIR No.54 dated 15.03.2018 under Sections 420, 465, 467, 468, 471 IPC, registered at Police Station City Gurdaspur, District Gurdaspur.

While granting interim bail to the petitioner, following order was passed on 15.05.2018: -

“Counsel for the petitioner has submitted that the petitioner and the complainant – Bhajan Singh had applied for the post of Scheduled Castes Lambardar and the Collector vide order dated 09.11.2017 had appointed the petitioner as Lambardar holding that he is a better candidate than the complainant – Bhajan Singh. Counsel for the petitioner has referred to the order, where no such

reference is given to the 5th standard certificate on the basis of which the present FIR is registered alleging that the petitioner has produced a false certificate. It is further submitted that, even otherwise, as per the Punjab Land Revenue Rules, there is no provision of any minimum qualification for appointment to the post of Lambardar in the S.C. Category and the petitioner has not relied upon any such certificate. It is also submitted that having lost the case before the Collector, the complainant has filed this complaint in order to settle his personal vendetta.

Notice of motion for 04.09.2018.”

Learned counsel for the petitioner submits that in pursuance of the order dated 15.05.2018, petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from ASI Balwinder Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 15.05.2018 passed by this Court is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

04.09.2018
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No