

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-5356-2018(O&M)
Date of Decision: 21.03.2018

Bant Singh @ Kulwant Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. N.S. Dadwal, Advocate for the petitioner.

Mr. S.S. Sandhu, A.A.G., Punjab.

TEJINDER SINGH DHINDSA.J (Oral)

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.03 dated 3.1.2018 under sections 420, 120-B I.P.C, registered at Police Station, Payal, Police District Khanna.

On 8.2.2018, while issuing notice of motion, the following order was passed by this Court:-

“Counsel would argue that the allegations are founded on the basis of a sale deed that was executed by the petitioner in the capacity of the land owner and in favour of the complainant party. It is argued that the petitioner himself was cheated by the co-accused, who are into the business of property dealing and in any case the petitioner had even entered into a compromise on 23.11.2016 and in pursuance to which a sum of Rs.5 lacs falling to his share had been returned to complainant Gurcharan Singh. Further submitted that the petitioner otherwise is ready and willing to join investigation and his custodial interrogation would not be warranted.

Notice of motion, returnable for 21.3.2018.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Vijay Pal Singh would apprise the Court that the petitioner has since joined investigation.

Furthermore, it has gone uncontroverted that petitioner has entered into a settlement with the complainant and a sum of Rs.5 lacs that had come to his share, has already been returned to the complainant.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 8.2.2018, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

21.03.2018
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Whether speaking/reasoned: Yes/No
Whether Reportable: Yes/No