

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.4315 of 2019 (O&M)
Decided on: 23.04.2019

Gurcharan Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : None for the petitioner.

ASI Sukhcharan Singh.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No.130 dated 11.12.2018 registered under Sections 420 and 120-B IPC at Police Station City-2, Mansa, District Mansa.

The operative part of the order dated 06.02.2019, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Counsel for the petitioner(s) has submitted that on a similar set of allegations, the complainant has earlier lodged a complaint, which was enquired into by the Deputy Superintendent of Police, Mansa in which it was found that the complainant – Gurdeep Singh could not prove handing over the cash amount of Rs.4.50 lacs to the petitioner – Sukhwinder Singh as he has failed to produce any documentary proof in support thereof.

Counsel for the petitioner(s) has further referred to the opinion given by the District Attorney (Legal) Mansa in the present FIR where he has opined that since an

amount of Rs.4.50 lacs is not a small amount and the acquaintance of the parties is only from 2014 whereas the payment is allegedly made in the year 2015, the complainant be directed to hand-over the written proof in this regard.

Counsel for the petitioner(s) has further submitted that the present FIR has been registered in the year 2018, much after the delay of the date of incident, as noticed in the intervening period, he has lodged a previous complaint, which was found to be without any basis.

Counsel for the State, on instructions from HC Sukhcharan Singh has not disputed the factual position and has submitted that the petitioner(s) be directed to join the investigation.

Adjourned to 23.04.2019....”

ASI Sukhcharan Singh, who is present in the Court, submits that the petitioner, in pursuance to the order dated 06.02.2019, has appeared before the Investigating Officer and has joined the investigation and he is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 06.02.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

23.04.2019
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No