

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-7814-2019

Date of Decision: 22.05.2019

Darshan Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jasraj Singh Khiva, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. DAG, Punjab.

...

Inderjit Singh, J. (Oral)

Petitioner Darshan Singh has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.07 dated 30.01.2019, registered at Police Station City Budhlada, District Mansa, under Sections 420, 465, 467, 468 and 471 of the Indian Penal Code.

Notice of motion was issued.

Learned State counsel has appeared on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

As per the prosecution version, earlier Pala Ram was the owner of the truck which he sold to Ashok Kumar.

As per the complainant, Ashok Kumar further sold this truck along with outstanding loan amount to him. He paid the entire amount to Ashok Kumar regarding above truck and he was depositing the remaining instalments in the bank etc. and Ashok Kumar had handed over above truck

to him. As per the allegations, the present petitioner and Kala Singh with intention to commit fraud with him, had taken all documents of above truck and Rs.4 lacs from his house on the pretext that they will deposit remaining loan amount of truck, but the present petitioner and Kala Singh deposited the said amount in their own name.

In pursuance of the interim order dated 28.02.2019, passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. No useful purpose would be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 28.02.2019, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

22.05.2019
Jasmine Kaur

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No