

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-9818-2019
Date of decision: 10.07.2019

Sunil Chander Balooni

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vikram Kumar, Advocate for
Mr. B.S. Jaswal, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. V.K. Sharma, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.28 dated 06.02.2019 under Sections 420, 120-B, 465, 467, 468, 471 IPC, registered at Police Station Focal Point, District Police Commissionerate, Ludhiana.

While granting interim bail to the petitioner, following order was passed by this Court on 05.03.2019: -

“.....Learned counsel for the petitioner inter alia contends that matter in dispute is of civil nature. Complainant has already filed two complaints against the petitioner under Section 138 of the Negotiable Instruments Act for the same cheques. Therefore, no

FIR could have been registered by the complainant. Petitioner is ready to join the investigation.

On the other hand, learned counsel for the complainant, refuting the above submission contends that petitioner has cheated the complainant by issuing three cheques worth Rs.55.00 lakh, which on presentation had bounced on account of stoppage of payment by the petitioner. As per FSL report, subsequent agreement was forged by the petitioner.....”

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

Learned State counsel, on instructions from ASI Bhupinder Singh and assisted by learned counsel for the complainant, 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 05.03.2019 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

10.07.2019
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No