

218

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-11768-2019
Date of decision-01.05.2019

Inderjit Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. S.P.Khera, Advocate for
Mr. L.M.Gulati, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab assisted by
ASI Lakhvir Singh.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.31 dated 19.02.2019 under Sections 420 and 120-B of Indian Penal Code at Police Station Tripri, District Patiala. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 14.03.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“This is a petition under Section 438 Cr.P.C. seeking anticipatory bail to the petitioner in case FIR No.31 dated 19.02.2019 under Sections 420/120-B of Indian Penal Code, registered at Police Station Tripri, District Patiala.

It is stated in the FIR registered on the complaint of Satish Kumar that he had issued a general power of attorney in favour of the petitioner in respect of 16 kanals of land on 29.06.2009 and the said GPA was cancelled on 07.08.2009. Despite the cancellation, the petitioner sold the land by carving out the plots in an illegal manner and without taking any permission or approval from the local administration.

Learned counsel for the petitioner states that the petitioner have no knowledge of the cancellation of GPA as no notice in regard thereof was issued to the petitioner. He further states that on a civil suit filed by the complainant, the said sale deeds have been cancelled and possession has been handed over to the complainant.

Notice of motion for 01.05.2019.

Meanwhile, in the event of arrest, the petitioner-Inderjit Singh shall be released on interim anticipatory bail to the satisfaction of Arresting/Investigating Officer, subject to the conditions provided under Section 438(2) Cr.P.C. The petitioner is also directed to join the investigation and cooperate with the Investigating Agency, as and when required.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Lakhvir Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Lakhvir Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail

granted by this Court vide order dated 14.03.2019 is made absolute.
However, it is made clear that this order shall remain operative only till the
filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

01.05.2019
vanita

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