

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-18454 of 2019

Date of Decision: October 24, 2019

Kabal Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr. P.S. Ahluwalia, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.15 dated 29.01.2019 under Section 406, 420, 465, 467, 468, 471 and 120-B of IPC registered at Police Station Fatehgarh Sahib, District Fatehgarh Sahib. 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 27.05.2019 whereby the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that as per the allegations in the FIR, it was Parvinder Singh (father of the petitioner) who had obtained loan from the complainant-Bank by impersonating as Kabal Singh and mortgaged the land belonging to Kabal Singh. It is alleged in the FIR that Kabal Singh was minor at the time when the loan was advanced in the year 2014. According to learned counsel for the petitioner, Bank had advanced loan after

making all verifications and got this case registered after a long delay. He further contends that custodial interrogation of the petitioner may not be necessary. Notice of motion for 24.10.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”.

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 SI Ajmer Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from SI Ajmer 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 27.05.2019 is made absolute.

October 24, 2019
jyoti3

[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No