

IN THE HIGH COURT FOR THE STATES OF PUNJAB AND HARYANA
AT CHANDIGARH

211)

CRM-M-20842 of 2019

Date of Decision: 05.11.2019

Kulwinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Talwinder Singh, Advocate, for the petitioner.
Mr. APS Gill, DAG, Punjab
Mr. S.S. Bedi, Advocate, for the complainant.
...

Amol Rattan Singh, J. (Oral)

Pursuant to the order of this court dated 15.10.2019, an affidavit of Sh. Sandeep Goel, the Senior Superintendent of Police, District Ludhiana (Rural), has been filed and is ordered to be taken on record.

As per the said affidavit, an enquiry in fact was conducted by the DSP, Investigation, Ludhiana (Rural), who submitted his report on 15.01.2019, to the effect that the petitioner, Kulwinder Singh, had entered into an agreement that he would provide machinery to the rice mill of the complainant, Hardev Singh, in lieu of old machinery and if the petitioner failed to provide such machinery, he would pay Rs.20 lacs to the complainant, which payment was not made.

Hence the enquiry officer had recommended the registration of an FIR, alleging therein the commission of offences punishable under Section 420 and 406 of the IPC.

Learned counsel for the complainant, on the other hand,

submits that he had not alleged any fraud but in fact had wished to get registered an FIR qua theft committed by the petitioner (as per the allegation of the complainant), with that offence not added in the FIR.

Learned State counsel on instructions from the police official who is present in court to assist him, submits that the petitioner having joined investigation and a special investigating team having been constituted, his custodial interrogation is not required presently.

That being so, this petition is allowed and the order dated May 08, 2019, granting interim bail to the petitioner, is made absolute on the same terms and conditions.

05.11.2019
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(Amol Rattan Singh)
Judge

Whether reasoned/speaking: Yes
Whether reportable: No