

204/1 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21400-2019
Date of Decision: 06.09.2019

Parminder Singh

... Petitioner

v/s

State of Punjab and another

... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. I.B.Bhandari, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG Punjab.

Mr. T.P.S. Walia, Advocate for the complainant.

* * *

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.054 dated 01.04.2017, under Section 420, 406 and 120-B of the Indian Penal Code, 1860, registered at Police Station Sadar Kurali, District SAS Nagar (Mohali). The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 10.05.2019, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:

“Learned counsel for the petitioner contends that the allegations as contained in the FIR are not worth believing. According to him, the alleged occurrence and payment of money took place in the year 2013 and the FIR has been lodged after a period of 6 years.

It is further pointed out that the complainant is employed in the college and it is not believable that the complainant had agreed for transaction of the alleged

extremely costly gem, that too without seeing it.

Notice of motion for 06.09.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the 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 ASI Talvinder does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Talvinder 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 10.05.2019 is made absolute.

06.09.2019

Janki

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No