

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

210-2 cases

CRM-M-49909-2017 (O & M)
Date of Decision:09.05.2019

Jeet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: None for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

Mr. Ashwani Arora, 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.127 dated 01.12.2017 under Sections 419/420/406/389/511 IPC, registered at Police Station Arniwala, District Fazilka. The petitioner apprehended his arrest at the hands of Police.

This Court vide order dated 02.01.2018 while issuing notice of motion to the respondent-State has extended the interim protection to the petitioner. The said order reads as under:-

“Heard.

Complainant Sukesh Moga has appeared of his own through through Mr. D.S. Khurana, Advocate by filing memo of appearance. The memo of appearance is taken on record.

The allegations levelled in FIR are that the petitioner opened his account with the complainant- commission agency and borrowed money from time to time to the tune of ₹3,22,000/- and not returned the same. Later on, in order to prevent the claim of money from the petitioner, the wife of the petitioner levelled false allegations of rape against the

complainant and started blackmailing him.

Learned counsel for the complainant has stated that DDR was registered regarding the levelling of allegations of rape, which was cancelled later on.

If it is so, the action under Section 182 Cr.P.C. can be taken in the said complaint. However, learned counsel for the petitioner has informed this Court that a criminal complaint under Section 376 Cr.P.C. has been filed before the learned Judicial Magistrate 1st Class, Fazilka, which is still pending. In the present case, the main allegations are of borrowing money from the commission agent and not returning the same.

Notice of motion.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab accepts notice on behalf of the State. Copy of the petition be supplied to him during the course of day.

List on 06.02.2018.

In the meanwhile, the petitioner is directed to appear before the Investigating Officer. In the event of his arrest, he be released on interim bail to the satisfaction of the arresting officer.”

Learned State counsel states that the petitioner has joined the investigation. He 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 02.01.2018 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

09.05.2019

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(MANOJ BAJAJ)
JUDGE

Whether Speaking/Reasoned: Yes/No
Whether Reportable : Yes/No