

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

CRM-M-33574-2019

Date of decision-05.12.2019

Jagdev Singh and another

...Petitioners

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jasdeep Singh, Advocate for the petitioners.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.168 dated 31.07.2019 under Sections 420 and 120-B of Indian Penal Code, 1860 registered at Police Station Civil Lines Bathinda, District Bathinda. The petitioners apprehended their arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 20.08.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that allegedly a loan of ₹12 lacs was taken by the petitioners from the complainant in the year 2013 and cheques were given to repay the said amount, however, the said cheques were dishonored. He further contends that the FIR has been lodged after a long delay pertaining to a dispute which is civil in nature and in the given facts,

custodial interrogation of the petitioners may not be required.

Notice of motion for 05.12.2019.

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

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners 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 Malkit Singh does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from ASI Malkit Singh further states that the petitioners are 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 20.08.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

05.12.2019

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