

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

CRM-M-45196-2019 (O&M)

Date of decision : 06.11.2019

Gurnam Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. P.K.S. Phoolka, Advocate for the petitioner.

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab.

Mr. Shailender Kashyap, Advocate for the first informant.

ANIL KSHETARPAL, J. (ORAL)

On 23.10.2019, following order was passed by this Court:-

“Petitioner prays for grant of anticipatory bail in FIR No.86 dated 19.09.2019 registered under Sections 420/406/120-B of the Indian Penal Code at Police Station S.G.N. Dev Thermal Plant, Bathinda, District Bathinda.

This Court has heard learned counsel for the petitioner as well as first informant.

Gist of prosecution case is that blank security cheques handed over by the first informant to Surender Singh and Leela Dhar have been misused by the petitioner.

On the other hand, stand taken by the petitioner- Gurnam Singh is that he has sold immovable property to wife of Surender Singh through registered sale deed and in lieu of part of sale consideration, the aforesaid cheques were handed over.

When the petitioner filed application for pre-arrest bail, he was directed to join investigation. The petitioner

complied with the aforesaid directions and Investigating Officer made a statement before the Court of Sessions that the petitioner has joined investigation and not required for further custodial interrogation. However, one of the cheque in question is required to be recovered from the petitioner.

Learned counsel for the petitioner submits that cheque in question has been handed back to Leela Dhar as he was paid amount equivalent to the cheque amount.

Notice of motion.

On asking of the Court, Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 06.11.2019.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. ”

Learned counsel for the State, on instructions from SI Gurdas Singh, has submitted that the petitioner has joined investigation, cooperated and not required for further custodial interrogation.

In view thereof, order dated 23.10.2019 passed by this Court is made absolute.

Accordingly, the present petition is allowed.

06.11.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

**Whether speaking/reasoned:-
Whether reportable:-**

**Yes/No
Yes/No**