

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

1. CRM-M-25525-2018

Avtar Singh

...Petitioner

Versus

State of Punjab

...Respondent

2. CRM-M-25585-2018

Sukhmander Singh

...Petitioner

Versus

State of Punjab

...Respondent

Date of decision: 21.01.2019

CORAM:- HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Sukhjit Singh, Advocate
for the petitioner in CRM-M-25525-2018.

Mr. Krishan Singh, Advocate
for the petitioner in CRM-M-25585-2018.

Mr. Sidakmeet Sandhu, AAG, Punjab.

Mr. B. S. Sidhu, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

This common order shall dispose of above noted two petitions
as they arise out of the same FIR.

These petitions have been filed under Section 438 of the Code
of Criminal Procedure for grant of anticipatory bail to petitioners Avtar

Singh and Sukhmander Singh in case FIR No. 111 dated 11.04.2018, registered under Sections 420 and 120B of the IPC at Police Station City Khanna, Police District Khanna, District Ludhiana.

The operative part of the order dated 01.08.2018, vide which petitioners have been granted interim bail, is reproduced below:

“Learned counsel for the petitioners have argued that there is no direct allegation against the petitioners and they were working as agents of Sarv Hit Developers (India) Ltd. Company and in fact the petitioners themselves had made a huge investment with the said company. Learned counsel for the petitioners have further submitted that the petitioners are ready to join investigation and cooperate with the investigating agency and to submit all the relevant documents in this regard. It is further submitted that to show their *bona fide*, petitioner Sukhmandar Singh is ready to deposit an amount of ₹2 Lakh with the Illaqa Magistrate, to be deposited in the Government Treasury and petitioner Avtar Singh is ready to furnish surety bonds of ₹2 Lakh along with one additional surety against immovable property, subject to final outcome of the case. Learned State counsel, on instructions from Inspector Sham Lal, assisted by learned counsel for the complainant, has opposed the prayer of the petitioners on the ground that the petitioners have issued receipts to various complainants/victims who are total 10 in numbers. Adjourned to 13.11.2018.”

Learned counsel for petitioners submits that in pursuance to the aforesaid directions, petitioner Sukhmander Singh has deposited an amount of Rs. 2 Lakh with the Illaqa Magistrate and petitioner Avtar Singh has also furnished surety bonds of Rs. 2 Lakh along with one additional surety against immovable property, subject to final outcome of the case.

Learned counsel for the State, on instructions from SI Sham Lal, assisted by learned counsel for the complainant, has not disputed the factual position and submitted that in pursuance to the order dated 01.08.2018, the petitioners have already joined investigation and they are not required for any further investigation.

In view of the above, without commenting anything on the merits, these petitions are allowed and the interim bail granted to petitioners, vide order dated 01.08.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

A photocopy of this order be placed on the file of other connected case.

January 21, 2019

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No