

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

**CRM-M No.51698 of 2018 (O&M)
Date of Decision: 27.02.2019**

Gurpreet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Gaurav Chopra, Advocate for the petitioner.

Mr. C.L.Pawar, Senior Deputy Advocate General, Punjab
for the respondent/State.

Mr. Ritesh Kumar Sharma, Advocate for
Mr. Manoj K. Sharma, Advocate for the complainant.

MAHABIR SINGH SINDHU, J. (Oral)

CRM No.5260 of 2019

Application is for placing on record Agreement to Sell dated 31.08.2016 and Enquiry Reports as Annexures A-1 to A-3 respectively.

For the reasons stated in the application, the same is allowed subject to all just exceptions. Accompanied documents are taken on record as Annexure A-1 to A-3. Registry to tag the same at the appropriate place.

CRM stands disposed off.

CRM-M No.51698 of 2018

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.26 dated 27.02.2017, under Sections 420, 419, 465, 467, 468, 471 and 120-B of the Indian Penal Code & Section 82 of the Registration Act, registered at Police Station City, District Hoshiarpur.

This Court, vide order dated 03.12.2018, granted interim bail to the petitioner and relevant part of the same reads as under:-

“ xxxxxxxx

Learned counsel for the petitioner contents that the petitioner was put in column no.2 of the report.

Learned State counsel seeks time to take instructions in this regard.

Adjourned to 22.01.2019.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C. ”

It is contended by learned Counsel for the petitioner that in pursuance of the above order, petitioner has joined the investigation and his custodial interrogation is no longer required.

The aforesaid factual position is duly acknowledged by learned State Counsel, on instructions from ASI Pritpal Singh.

Although learned Counsel for the complainant has opposed the bail on the ground that petitioner is the main kingpin, who has cheated the complainant.

Be that as it may, it is apparently clear that petitioner is only a witness to the Agreement and he is not beneficiary.

In view of above, interim order dated 03.12.2018 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

It is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The observations may not be considered as an expression of opinion on the merits of the case.

February 27, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

<i>Whether speaking/reasoned</i>	<i>Yes</i>
<i>Whether Reportable</i>	<i>Yes</i>