

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6141-2019

Date of Decision: 19.02.2020

Anoop Bansal

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.S. Randhawa, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. Ramanjeet Singh, Advocate
for the complainant.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.351 dated 18.12.2018 under Sections 420 and 120-B IPC, registered at Police Station Jodhewal, District Ludhiana. He apprehended his arrest at the hands of Police in the above said FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 08.02.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the business transactions between the complainant and petitioner commenced in the year 2012 and continued upto June 2018. According to learned counsel for the petitioner, there is no further business transactions between the parties and the cheque allegedly given by

the petitioner in favour of Santokh Singh got bounced in the year 2018, however, no complaint under Section 138 of N.I.Act, 1881 was filed. Though there is suit filed by the petitioner against the complainant and others seeking mandatory injunction in respect of those very cheques. According to him the FIR is founded on the same issues.

Notice of motion for 01.4.2019.

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

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner 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 Jasbir Singh does not dispute this fact that the petitioner has joined the investigation and states that he 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 08.02.2019 is made absolute.

19.02.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No