

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

CRM-M-12306-2020
Date of Decision:18.11.2020

Darshan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Yashpal Thakur, Advocate
for the petitioner.

Ms. Monika Jalota, DAG Punjab.

Mr. G. S. Nahel, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in the event of arrest in FIR No. 20 dated 18.02.2020 under Section 406 IPC registered at Police Station Cheema, District Sangrur.

Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the present case and that he had merely raised loan inasmuch as wife had pledged her jewellery and had raised loan, which was given to the complainant and after the loan was repaid the jewellery in question was required to be returned back to his wife as has not been done and that the complainant has claimed to have the jewellery in question illegally.

Learned counsel appearing on behalf of the complainant relies

upon the statement made that the gold is lying with Darshan Singh petitioner and the same ought to be returned while further arguing that the petitioner has illegally taken the gold back from the Bank.

Learned DAG Punjab for the respondent-State, on instructions from ASI Krishan Kumar, submits that petitioner has joined the investigation and he is not required for the custodial interrogation.

In view of the fact that the petitioner has joined investigation and it would be a matter of trial whether the gold in possession of Darshan Singh petitioner received from the Bank is to be returned against the amount owed to him by the complainant, without commenting on the merits of the case, the petition is allowed and order dated 14.05.2020 granting interim bail to the petitioner is hereby made absolute subject to the conditions laid down in Section 438 Sub Section 2 Clauses (i) (ii) and (iii) of the Code of Criminal Procedure.

18.11.2020

pry

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned Yes

Whether reportable Yes/No