

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

CRM-M-18396-2020 (O&M)

Date of decision: 10.09.2020

Sagar Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. Krishan Kumar Thakur, Advocate for the petitioner.

Mr. N.K. Banka, DAG Punjab.

Mr. Jasdeep Kailey, Advocate for the complainant.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through the instant petition under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in case FIR No. 101 dated 11.6.2020 under Sections 406, 420, 120-B IPC registered at Police Station Kotwali Bathinda, District Bathinda.

On 13.07.2020, this Court passed the following order :-

“Inter-alia contend that petitioner is only a broker and as a matter of fact, the Car was purchased by one Govinda who issued a cheque for an amount of Rs.4.75 lacs to the complainant.

Notice of motion for 10.09.2020.

Mr. Venu Gopal Jauhar, Senior DAG Punjab, accepts notice on behalf of the State, and Mr. Jasdeep Singh, Advocate accepts notice on behalf of the complainant.

Learned counsel for the complainant has accepted the factum of issuance of cheque for an amount of Rs.4.75 lacs, but

stated that the cheque in question was dishonoured way-back in November 2019 and thus, the present FIR was registered on 11.06.2020 i.e. after a period of more than 7 months of the dishonour of cheque.

Learned counsel for the complainant seeks time to have instructions in the matter as to whether any action under the provisions of Negotiable Instruments Act, 1882 was taken against the said Govinda or not.

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 in the present case 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.

To be heard alongwith CRM-M-17012-2020. ”.

Learned counsel for the petitioner states that pursuant to the order dated 13.07.2020 passed by this Court, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Ranjit Singh, states that the petitioner has joined the investigation and he is not required for any further investigation.

I have heard the learned counsel for the parties.

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 13.07.2020 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(HARNARESH SINGH GILL)
JUDGE

10.09.2020
Mangal Singh

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No