

213-A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-48991-2018
Date of decision-30.01.2020

Gurpreet Singh	Vs.	...Petitioner
State of Punjab		...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Anil Shukla, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Mr. D.S.Brar, Advocate for the complainant.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.142 dated 04.05.2018 under Sections 420 and 120-B of Indian Penal Code, 1860 registered at Police Station City Khanna, District Ludhiana. The petitioner apprehended his arrest at the hands of Police.

On 02.11.2018, notice of motion was issued.

Learned counsel for the petitioner contends that the perusal of the FIR itself reveals that the complainant had paid the amount upon a promise made by co-accused, namely, Gurinder Singh and therefore, the custodial interrogation of the petitioner may not be justified particularly when the concession of anticipatory bail has been extended to the said co-accused vide order dated 22.11.2018.

Learned State counsel assisted by ASI Shamsheer Singh opposed

the prayer, however, it is not disputed that the deal was struck between the complainant and the co-accused Gurinder Singh who has been granted the concession of anticipatory bail.

Considering the above background, it is ordered that in the event of arrest of the petitioner by the Arresting Officer, he shall be released on bail subject to his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall join investigation as and when called for by the Investigating Officer and would abide by the conditions enshrined under Section 438(2) Cr.P.C. The above order shall not be construed as an opinion on the merits of the case.

The petition is allowed.

(MANOJ BAJAJ)
JUDGE

30.01.2020			
vanita	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No