

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

**CRM-M-26471-2019**

**Date of Decision : -22.1.2020**

Balwant Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM:- HON'BLE MR. JUSTICE H.S. MADAAN**

**Present:** Mr.Rakesh Kumar, Advocate  
for the petitioner.

Ms.Amarjit Kaur Khurana, DAG, Punjab.

Mr.Abhimanyu Kalsy, Advocate for  
Mr.Abhay K. Sharma, Advocate  
for the complainant.

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**H.S.MADAAN, J. (ORAL)**

Learned counsel for the petitioner submits that the cancellation report in the matter has been filed for the second time in the Court of Magistrate.

Learned State counsel on the instructions from ASI Gurmeet Singh concedes this fact stating that under the circumstances, the custodial interrogation of the petitioner is not required.

Learned counsel appearing for the complainant however opposes the request for the pre-arrest bail stating that though power of attorney in favour of petitioner had been withdrawn by the Principal, even then he had executed the sale deed qua the land measuring 1 ½ marla in favour of his own son.

This question is to be seen on merits. In view of the

facts and circumstances of the case and statement made by the State counsel, the interim bail granted to the petitioner vide order dated 14.6.2019 is made absolute on his fulfilling following conditions:

- (i) that the petitioner shall make himself available for interrogation by a police officer as and when required;
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- (iii) that the petitioner shall not leave India without the previous permission of the Court; and
- (iv) that the petitioner shall surrender his passport before the Investigating Officer.

The petition stands allowed accordingly.

However, the complainant may file the protest petition before the Magistrate, if so advised.

**22.1.2020**  
**Brij**

**(H.S. MADAAN)**  
**JUDGE**

**Whether reasoned/speaking :** **Yes/No**  
**Whether reportable :** **Yes/No**