

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

CRM-M-28306-2020

Date of decision:24.11.2020

Bagga Singh alias Dilbag Singh

...Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present:- Mr. P.S. Ahluwalia, Advocate for the petitioner.

Mr. Mehardeep Singh Dullat, Addl. A.G., Punjab.

HARNARESH SINGH GILL, J. (ORAL)

Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.57 dated 02.09.2019, registered at Police Station Dhilwan, District Kapurthala, under Sections 406 and 420.

On 17.09.2020, a Coordinate Bench of this Court passed the following order:-

“The matter has been taken up for hearing through video conferencing due to COVID-19 situation.

The present petition is filed aggrieved of the order dated 29.10.2019 passed by Additional Sessions Judge, Kapurthala declining the prayer of anticipatory bail in FIR No. 57 dated 2.9.2019, under Sections 420/406 IPC, registered at Police Station Dhilwan, District Kapurthala.

The allegations in the FIR are that 5 years ago, Rs.10,00,000/- were taken by the accused from the complainant on the pretext that the complainant would be a co-owner in a property to be purchased. It is alleged that neither any property was purchased nor the amount was returned. It is further alleged that cash payment was made in the presence of one Raj Kumar.

Learned counsel for the petitioner submits that it is purely a civil dispute and denies the allegation that any such transaction had taken place. It is further submitted that the

petitioner is ready to join the investigation.

Learned counsel for the State, who appears on advance notice, opposes the prayer on the ground that there was an agreement which was not adhered to by the petitioner.

Considering the facts in totality and more-so prima facie, the nature of dispute is of civil nature, interim bail is granted to the petitioner subject to joining the investigation within two weeks. He shall be bound by the conditions under Section 438(2) Cr.P.C.

Adjourned to 24.11.2020.”

Learned counsel for the petitioner submits that pursuant to the order dated 17.09.2020 passed by a Coordinate Bench of this Court, the petitioner has joined the investigation.

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

In view of the above, without commenting on the merits of the case, the present petition is allowed and the order dated 17.09.2020 passed by a Coordinate Bench of this Court 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.

24.11.2020

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(HARNARESH SINGH GILL)
JUDGE

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No