

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26456-2019 (O&M)

Date of Decision: 20.01.2020

Prince Sidhu

.. Applicant/Petitioner

Vs.

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. A.S. Sekhon, Advocate for applicant-petitioner.

Mr. Prabhjot Singh Walia, Asstt. A.G, Punjab.

None for the complainant.

...

Manoj Bajaj, J. (Oral)

CRM-26207-2019

Application is allowed, subject to all just exceptions. Annexure
P-7 is taken on record.

CRM-M-26456-2019

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.51 dated 10.05.2019 under Sections 419/420/465/467/468/471 read with Section 120-B IPC, registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib. He apprehended his arrest at the hands of Police.

The FIR was registered on the basis of order passed in civil suit titled as Asha Singh and another Vs. Gurlal Singh and others, wherein it was noticed by the trial Court that one aged person, namely Asha Singh and an aged lady Sukhwant Kaur @ Sukhvir Kaur stated before the Court that the suit in question was not filed by them before the trial Court and someone

had impersonated in their place.

Learned counsel for the petitioner contends that the petitioner is the grandson of Asha Singh and Sukhwant Kaur @ Sukhvir Kaur and their relations are cordial. According to him, the petitioner was not the party to the civil suit and, therefore, had no occasion to file the suit through impersonation. He further submits that the grand parents have given an affidavit (Annexure P-6) dated 31.05.2019 reiterating the cordial relations with their grandson (petitioner). He has invited the attention of the Court to the order dated 14.06.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Notice of motion for 22.7.2019.

Mr. Rajinder Singh Bhatta, Advocate, has filed power of attorney on behalf of the complainant. The complainant be impleaded as a party.

In the meantime, the petitioner is directed to join investigation within seven days from the date of receipt of copy of this order. In the event of the arrest of the petitioner, he shall be released on interim bail to the satisfaction of the arresting officer.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer. It is further pointed out that the petitioner pursuant to the order dated 16.11.2019 again joined the investigation.

not dispute this fact that the petitioner has joined the investigation and states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 14.06.2019 is made absolute.

20.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes
Whether reportable	No