

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.30586 of 2020 (O&M)

Date of Decision: 24.11.2020

Bhalinderjit Singh

..... Petitioner

V/s.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Parminder Singh Sekhon, Advocate
for the petitioner.

Mr. Mehardeep Singh Dullat, Addl. AG, Punjab.

Mr. K.B. Raheja, Advocate,
for the complainant.

Harnaresh Singh Gill, J (Oral)

The case is being 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. 140 dated 19.09.2020 under Sections 452, 506 and 427, Indian Penal Code, 1860 registered at Police Station City-I, Malerkotla, District Sangrur.

On 01.10.2020, a Coordinate Bench this Court passed the following order:-

“ Case has been taken up for hearing through Video Conferencing.

This petition under Section 438 Cr.P.C. read with Section 482 Cr.P.C. is for grant of pre-arrest bail to petitioner in case FIR No.140 dated 19.09.2020 under Sections 427, 452 and 506 IPC, registered at Police Station City-I, Malerkotla, District Sangrur.

Learned counsel for petitioner inter alia contends that petitioner has no nexus whatsoever with the alleged offence. He further urges that petitioner and father of complainant used to purchase land jointly in partnership. He further urges that petitioner had merely gone to the house of complainant to complain about behaviour of complainant to his (petitioner's) father and whereas no such untoward incident took

place. He further submits that petitioner is ready to join investigation as and when called upon to do so by the Investigating Agency.

Notice of motion.

At the asking of Court, Ms. Jaspreet Kaur, AAG, Punjab, accepts notice on behalf of respondent-State and seeks time to furnish detailed reply. Complete copy of paper book be supplied to her during the course of the day.

At this juncture, Mr. K.B. Raheja, Advocate has put in appearance on behalf of complainant.

Adjourned to 24.11.2020.

Reply by respondent-State be filed with the Registry of this Court well before the date fixed with copy in advance to learned counsel for the petitioner.

Meanwhile, in the eventuality of arrest of petitioner in the instant case FIR, he shall be enlarged on interim bail subject to his furnishing personal/surety bonds to the satisfaction of Arresting Officer/ Investigating Officer. Petitioner shall join investigation as and when called upon to do so by Investigating Agency. Petitioner shall abide by conditions as laid down in Section 438(2) Cr.P.C. in letter and spirit.”

Learned counsel for the petitioner states that pursuant to the order dated 01.10.2020 passed by the Coordinate Bench of this Court, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Ram Singh, states that the petitioner has joined the investigation and he is not required for any further investigation. However, Mr. K.B. Raheja, Advocate appearing on behalf of the complainant, has opposed the bail application.

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 01.10.2020 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.

24th November, 2020

Sonia Puri

(HARNARESH SINGH GILL)
JUDGE

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

SONIA PURI
2020.11.24 18:09
I attest to the accuracy and
integrity of this document