

CRM-M-32494 of 2020

**202IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-32494 of 2020
Date of decision: 15.12.2020

Bhupinder Singh

.....Petitioner

vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. Kewal Krishan, Advocate, for
Mr.R.D. Rattewal, Advocate, for the petitioner.
Mr. Hittan Nehra, Addl. A.G., Punjab.

DEEPAK SIBAL, J. (ORAL)

Case taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks the grant of anticipatory bail in FIR No.1 dated 08.01.2020 registered under Sections 406, 420 IPC, Section 13 of the Punjab Travel Professionals (Regulation) Act, 2014 and Section 24 of the Immigration Act, at Police Station City Banga, District SBS Nagar.

Learned counsel for the petitioner contends that the petitioner has been falsely implicated in the case on account of personal enmity between the petitioner and the complainant; there is an unexplained delay of four years in lodging of the FIR; the petitioner has no other criminal case pending against him; even though the petitioner was falsely implicated in the case, to show his *bona fide* the petitioner tried several attempts to settle the matter with the complainant but to no avail and

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under the interim orders passed by this Court the petitioner has not only joined the investigation but has also fully co-operated with the investigating agency.

Learned State counsel admits to the fact that there is no other case pending against the petitioner; under the interim orders passed by this Court the petitioner has not only joined the investigation but has also fully co-operated with the investigating agency and that his custodial interrogation is not required.

The fact of unexplained delay of four years in lodging the FIR would be debated during the trial. However, after considering the totality of the above facts especially the statement made by the learned State counsel that there is no other criminal case in which the petitioner is involved and admittedly under the interim orders passed by this Court he has not only joined the investigation but has also fully co-operated with the investigating agency and his custodial interrogation is not required, the order of this Court dated 30.10.2020 granting ad-interim anticipatory bail to the petitioner is made absolute.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

December 15, 2020
R.S.

(Deepak Sibal)
Judge

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No