

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-34956-2019

Date of Decision: 07.01.2020

Ramandeep Singh and another

.. Petitioners

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Manish Kumar Singla, Advocate for the petitioners.

Ms. Monika Jalota, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioners have filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.65 dated 16.06.2018 under Sections 406, 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Sirhind, District Fatehgarh Sahib. They apprehended their arrest at the hands of Police.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 27.08.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioners. The said order reads as under:-

“Learned counsel for the petitioners contends that the loan was advanced by the complainant Bank in the year 2013, which already stands cleared. According to him the FIR was lodged on the misconceived ground that the property mortgaged by the borrower was already mortgaged with some other bank for the same purpose. According to him, petitioners are owners of 70 kanals of

agricultural land and part of it was mortgaged with the bank. He further submits that the custodial interrogation of the petitioners may not be required.

Notice of motion for 18.12.2019.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioners shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioners further contends that in deference to the said order, the petitioners submitted themselves before the Police and joined the investigation. According to him, the petitioners cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Gulzar Singh does not dispute this fact that the petitioners have joined the investigation. Learned counsel on instructions from ASI Gulzar Singh further states that the petitioners are 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 27.08.2019 is made absolute.

07.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No