

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

**CRM-M-43313-2020
Date of decision: 22.12.2020**

Darshan Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Hitesh Kumar Sammi, Advocate
for the petitioner.

(Through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 137 dated 27.06.2015, registered under Sections 186, 353 of the IPC at Police Station Dera Bassi, District S.A.S. Nagar.

Learned counsel for the petitioner submits that as per allegations in the FIR, registered at the instance Tehsildar, Dera Bassi, it is stated that on 25.06.2015, he had gone for effecting recovery of loan amount from Dharam Singh and his sons Paramjit Singh @ Happy and Lalli. When the reached the village, the aforesaid three persons as well as petitioner Darshan Singh created hindrance and started misbehaving with them.

Learned counsel further submits that petitioner is a neighbour of aforesaid persons and has no connection with recovery of loan amount and he has been implicated only because he is relative of aforesaid persons.

Learned counsel further submits that the FIR was registered in the year 2015, however, till date, no action was taken against the petitioner

and now the police is seeking him to arrest.

Notice of motion.

Ms. Monika Jalota, DAG, Punjab, who is also appearing through video conferencing, accept notice on behalf of the respondent-State.

Learned State counsel could not dispute the fact that no PO proceeding is pending/initiated against the petitioner, however, she submitted that petitioner was evading arrest since the registration of FIR.

After hearing learned counsel for the parties, without making any comment on the merits of the case, considering the fact that FIR relates to the year 2015 and it is the specific case of the complainant that recovery proceedings were pending against aforesaid three co-accused, whereas the petitioner is only a neighbour to these co-accused, the present petition is allowed and the petitioner is granted concession of anticipatory bail subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to call upon the petitioner to join investigation, if so required, by issuing him a written notice in this regard.

22.12.2020

Waseem Ansari

(ARVIND SINGH SANGWAN)
JUDGE

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No