

207-A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40776-2019
Date of decision-31.01.2020

Gurwinder Singh Vs. ...Petitioner
State of Punjab ...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. B.S.Sra, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.97 dated 02.07.2019 under Sections 406 and 420 of Indian Penal Code, 1860 registered at Police Station Dasuya, District Hoshiarpur. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 23.09.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioner submits that neither the amount was paid to the petitioner nor there is nothing else to connect the petitioner with the alleged crime. He submits that it was accused Surender Kumar, who has issued the cheque for a sum of Rs.10,00,000/- in favour of the complainant to return the said amount. He has relied upon the order dated 13.9.2019 passed by this Court in CRM-M-39033-2019 in respect of the co-accused, who has been granted interim protection.
Notice of motion for 31.1.2020.
Meanwhile, the petitioner shall join the investigation and*

*would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.
To be heard along with CRM-M-39033-2019.”*

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.

Learned State counsel who is assisted by ASI Pawan Kumar does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Pawan Kumar further 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 23.09.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

31.01.2020

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No