

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

207

**CRM-M-54469-2019
Date of decision: 11.02.2020**

Madan Jindal and others**...Petitioners**

Versus

State of Punjab**...Respondent****CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN**

Present:- Mr. V. K. Jindal, Sr. Advocate with
Ms. Jaanya Sirohi, Advocate
for the petitioners.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Akshay Bhan, Sr. Advocate with
Mr. Ishan Gupta, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No.115 dated 27.10.2019 registered under Sections 406, 420, 465, 467, 468, 506 and 120-B IPC at Police Station Kotwali Nabha, District Patiala.

The operative part of the order dated 08.01.2020, vide which the petitioners have been granted interim bail, is reproduced below:

“Learned Senior counsel for the petitioners has argued that as per the allegations in the FIR, in the year 2011 certain amounts were advanced to the petitioners for the purpose of purchasing of a property/plot, in the name of the complainant. It is further submitted that there is no such agreement between the parties to support this version in the FIR. It is also submitted that the FIR has been registered after a long delay of 07 years and in the intervening period, even the limitation for filing a suit for recovery of the amount has also expired.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, who is present in the Court accepts notice on behalf of the

respondent while Mr. Ishan Gupta, Advocate has appeared on behalf of the complainant.

Counsel for the petitioner is directed to supply a complete copy of paperbook to counsel opposite during the course of the day.

List again on 11.02.2020.”

Learned senior counsel for the petitioners submits that the petitioners, in pursuance to the order dated 08.01.2020, have already appeared before the SHO/Investigating Officer and have joined the investigation.

Learned counsel for the State, on instructions from SI Saurabh Sabharwal, has, however, submitted that petitioners are still required for further investigation.

Learned senior counsel for the complainant has fairly conceded that no civil suit has been filed with regard to allegations of advancement of money.

In view of the above, the present petition is allowed and the interim bail granted to the petitioners, vide order dated 08.01.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, for the purpose of completing the investigation, it will be open for the Investigating Officer to call upon the petitioners to join investigation by issuing a written notice in this regard, if it is so required.

11.02.2020

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No