

201 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-303-2020

Date of Decision: 21.09.2021

BALWANT SINGH SAMRA

..... petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. A. S. Brar, Advocate,
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

Mr. Rakesh Gupta, Advocate
for respondent No.2-SBI.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.247 dated 28.11.2019 under Section 420 IPC registered at Police Station Dharamkot District Moga. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 29.01.2020, whereby, the interim protection was extended to the petitioner. The said order reads as under:-

“At the oral request of learned counsel for the petitioner, State Bank of India, Main Branch, Moga is ordered to be impleaded as respondent No.2. The registry to make necessary amendment in the memo of parties. Learned counsel for the petitioner states that petitioner is ready to pay the bank dues and to show his bona fide, he has brought a bank draft

in the sum of Rs.2 lacs in favour of the bank. The State counsel has been asked to ensure the appearance of the Manager of the complainant/bank in the Court on the next date of hearing, fixed as 27.03.2020.

Learned counsel for the petitioner states that petitioner is ready and willing to join the investigation.

The petitioner is directed to join the investigation by contacting the Investigating Officer within 05 days from today and render all sort of cooperation. The petitioner is to surrender his passport before the Investigating Officer, if he has got one, otherwise to furnish affidavit in that regard. If, in the meanwhile, he is arrested, he be released on bail to the satisfaction of the Investigating Officer/Arresting Officer.”

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 submits that pursuant to the order dated 29.01.2020, the requisite amount of Rs. 2 lakhs has been deposited with the complainant-bank.

This fact is not disputed by the learned counsel for the complainant. Learned State counsel, who is assisted by ASI Kuldeep Singh states that the petitioner has joined the investigation and he is not

required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 29.01.2020 is made absolute.

21.09.2021

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(MANOJ BAJAJ)
JUDGE

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No