

Sr.No.202

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

CRM-M-3872-2020

Date of decision:23.07.2021

Ishrar Ahmad

... Petitioner

versus

State of Punjab

... Respondent

Coram: Hon'ble Mr. Justice Arvind Singh Sangwan

Present: Mr. K.K.Saini, Advocate
for the petitioner.
Mr. J.P.Ratra, DAG, Punjab.

Through Video Conference

Arvind Singh Sangwan, J.(Oral)

Prayer in this petition is for grant of anticipatory bail in FIR No.009, dated 10.01.2020 registered under Sections 381 and 411 IPC at Police Station Zirakpur, District SAS Nagar.

While granting interim bail to the petitioner, following order was passed by this Court on 29.01.2020: -

“...xxx..

Counsel for the petitioner has argued that as per the allegations in the FIR, the petitioner was an employee of the complainant – Navpreet Singh, who is dealing in the business of a tent house. It is further submitted that the petitioner was working for a period of 06 years and there was no complaint in this regard and when the

petitioner by creating a partnership with his wife on 06.08.2019 started a parallel business of a tent house, the complainant get annoyed and threatened him to face dire consequences. It is also submitted that the complainant directed the petitioner to continue the job for a period of 02 months with an understanding that his wages will be paid in the month of November, however, instead of paying him wages, the present FIR has been registered after the petitioner left for his village. Lastly, it is argued by counsel for the petitioner that a perusal of the FIR itself show that the complainant himself was the Incharge of the godown and he was frequently visiting the same when he found shortage of the articles, detail of which is not given in the FIR.

....xxxx.. ”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and has not misused the concession of interim bail for the last 1½ years.

Learned State counsel, on instructions from ASI Sukhdev Singh has submitted that the petitioner has already joined investigation and has not disputed the factual position.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 29.01.2020 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

23rd July, 2021

[ARVIND SINGH SANGWAN]

Shivani Kaushik

JUDGE

Whether speaking/reasoned Yes/No

Whether Reportable Yes/No