

201-B

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

CRM-M-7960-2021

Date of decision : 15.09.2021

Manjit Singh @ Makhan Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Sanjeev Duggal, Advocate for the petitioner.

Mr. Saurav Khurana, DAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.11 dated 19.01.2020 registered under Sections 406, 420, 120-B of the Indian Penal Code, 1860 at Police Station Navi Baradari, District Jalandhar.

On 19.02.2021, the Coordinate Bench of this Court was pleased to pass the following order:-

“The petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No.11 dated 19.01.2020 registered under Sections 406, 420 and 120-B of the Indian Penal Code, 1860 in Police Station Navi Baradari, Jalandhar.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present

case. He along with accused No.3 and 5 introduced both the parties with each other. There is no direct allegation against the petitioner regarding taking of any money or signing of any document regarding transaction in question by the petitioner. Shops in question have already been returned back to the complainant. Co-accused Jasvir Kaur and Ranbir Singh have already been granted interim anticipatory bail by this Court vide orders dated 18.09.2020 and 11.01.2021 respectively. The petitioner is ready to join the investigation.

Notice of motion.

Pursuant to supply of advance copy, Mr. Sandeep Kumar, DAG, Punjab has appeared and accepted notice on behalf of the respondent No.1-State.

Learned State Counsel seeks time to file reply.

In view of the facts and circumstances of the case, presence of the complainant is considered to be necessary for just and proper decision of the petition. Therefore, complainant is ordered to be impleaded as respondent No.2. Memo of Parties be amended accordingly.

Adjourned to 10.03.2021.

To be heard with CRM-M-19090-2020.

Notice to newly added respondent No.2 be issued for that date. Notice be also given dasti, if so desired.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim anticipatory bail by the arresting officer/investigating officer on furnishing of bail bonds by them to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim anticipatory bail

allowed to him.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 19.02.2021, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from SI Hardev Singh, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

In view of the above, the interim order dated 19.02.2021 is ordered to be made absolute.

Accordingly, the present petition is allowed.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

15.09.2021

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- **Yes/No**

Whether reportable:- **Yes/No**