

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(202)

CRM No. M-6313 of 2020

Date of Decision : 28.10.2021

Mohan Lal

....Petitioner

Versus

State of Punjab

.....Respondent

(Through Video Conferencing)

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Nirmaljeet Singh Sidhu, Advocate for the petitioner.

Mr. K.S. Aulakh, Deputy Advocate General, Punjab.

Harsimran Singh Sethi, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No. 15 dated 24.01.2020 registered under Section 420 of the Indian Penal Code, 1860 at Police Station Canal Colony Bathinda, District Bathinda.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by a Co-ordinate Bench of this Court dated 13.02.2020. Order dated 13.02.2020 is as under:-

“The petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No. 15 dated 24.01.2020 registered under Section 420 of the Indian Penal Code, 1860 at Police Station Canal Colony Bathinda, District Bathinda.

Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated by the police in the case. The petitioner entered into an agreement to sell in favour of the complainant and is ready to execute the sale deed on payment as per the agreement to sell. No fraud was committed by the

petitioner with the complainant. The petitioner is ready to join the investigation.

Notice of motion.

On the asking of the Court, Mr. Sandeep Singh Deol, D.A.G., Punjab accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to the learned State counsel, who seeks time to complete his instructions.

Adjourned to 23.04.2020.

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 bail by the arresting officer/investigating officer on furnishing of bail bonds by him 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 bail allowed to him.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Iqbal Singh states that in terms of the order passed by a co-ordinate bench of this Court reproduced before, the petitioner has joined the investigation and the challan has been submitted and no further interrogation of the petitioner is required.

In view of the above, the order dated 13.02.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition stands disposed of.

October 28, 2021
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No