

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-6423-2020
Date of decision : 02.09.2021
(Heard through VC)

SARABJIT SINGH

.....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

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

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J (ORAL)

The petitioner prays for grant of anticipatory bail in FIR No.32 dated 15.04.2019, registered under Sections 174-A IPC at Police Station Phool, District Bathinda.

Learned counsel for the petitioner submits that in pursuance to the order dated 25.02.2020 the petitioner has joined the investigation and even otherwise, the interim order was passed about 01 year 06 months ago and there is no allegation that the petitioner has mis-used the concession of interim bail.

The operative part of the order dated 25.02.2021, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“....Counsel for the petitioner submits that the petitioner was declared as proclaimed person during the pendency of the

proceedings under Section 138 of the Negotiable Instruments Act. Counsel for the petitioner further submits that without following the proper procedure under Section 82 Cr.P.C and effecting service on the ordinary place of respondent, he was declared a proclaimed person. Counsel for the petitioner further submits that the petitioner is surrendering before the Court today itself, where the proceedings under Section 138 Cr.P.C of the NI Act are pending.”

Counsel for the State, on instructions from HC Baljinder Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 25.02.2020 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

02.09.2021

tarun sahani

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No