

HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

202

CRM-M-7244-2020 (O&M)
Date of Decision: 01.11.2021

Gurbaj Singh

... Petitioner

VS.

State of Punjab

... Respondent

Coram: Hon'ble Mr. Justice Arvind Singh Sangwan

Present: Mr. Nitin Rampal, Advocate for the petitioner

Mr. JP Ratra, DAG Punjab

Ms. RK Thind, Advocate for the complainant

Arvind Singh Sangwan, J. (Oral)

The petitioner prays for grant of pre-arrest bail in FIR No. 80 dated 05.05.2019 under Section 420 IPC & 13 of Punjab Prevention of Human Smuggling Act, 2012 registered at PS Gharinda, District Amritsar Rural.

The operative part of the order dated 18.02.2020, vide which the petitioner has been granted interim bail, is reproduced below:-

“Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. The petitioner never demanded the amount as alleged from the complainant. Baseless and false allegations has been made against the petitioner. There was money dispute between the parties which was amicably settled and the petitioner has returned the amount of Rs. 1,90,000/- to the complainant and had also given cheque to him. Offences mentioned in the FIR are not made out against the petitioner. 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 respondent-State.

Copy of the paper book has been supplied to learned State Counsel, who seeks time to complete his instructions.

Adjourned to 30.04.2020.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 18.02.2020, has already appeared before the SHO/Investigating Officer and joined the investigation.

Learned counsel for the State, on instructions from ASI Gurdev Singh, assisted by counsel for the complainant, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 18.02.2020, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

01.11.2021

vishal shonkar

1. *Whether speaking/reasoned?*
2. *Whether reportable?*

(Arvind Singh Sangwan)
Judge

Yes/No
Yes/No