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IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

\*\*\*\*\*

CRM-M-7336-2020  
Date of Decision: 15.09.2021

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GURMINDER SINGH

..... petitioner

Versus

STATE OF PUNJAB

..... Respondent

**CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present :- Mr. Amit Dhawan, Advocate  
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

**MANOJ BAJAJ, J. (ORAL)**

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.202 dated 05.11.2019, under Sections 420, 465, 467, 468 and 471 IPC, registered at Police Station Bhogpur, District Jalandhar (Rural). The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 19.02.2020, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioner contends that the complainant is the real brother of the petitioner who has falsely implicated the*

*petitioner in FIR No.202 dated 5.11.2019, under Sections 420/465/467/468/471 IPC, Police Station Bhogpur, District Jalandhar (Rural), wherein it was alleged that the tractor purchased in the year 2013 was fraudulently transferred in the name of the petitioner. According to him, FIR itself contains the fact that the brothers were jointly cultivating the land and for the said purpose, machinery and tractors were purchased by them. He submits that a civil suit between the brothers is pending and therefore, in the given facts, custodial interrogation of the petitioner may not be necessary.*

*Notice of motion for 6.7.2020.*

*Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”*

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by SI Premjit Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being. He

submits that the police has completed the investigation in the case and prepared a cancellation report which was presented before the Illaqa Magistrate on 27.07.2021 and is pending consideration for 13.10.2021.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 19.02.2020 is made absolute.

**15.09.2021**

*Ali*

**(MANOJ BAJAJ)**  
**JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No