

207 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.8253 of 2020
Date of Decision:16.08.2021

BALJIT SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl A.G Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.113 dated 06.12.2019 registered under Sections 420, 465, 467, 468 and 471, at Police Station Mehna, District Moga.

On 26.02.2020, following order was passed:-

“Learned counsel for the petitioner contends that the petitioner was not an accused in the case qua which CRM-M No.55005 of 2018 was filed by Paramjit Singh Daim i.e. Brother of the petitioner for grant of regular bail in the High Court by annexing some documents which were alleged to be forged documents by the complainant. Complainant also filed CRM-M-6158 of 2019 under Section 340 Cr.P.C. for taking lawful action in the said context.

No meaningful proceedings could be initiated as both the petitions were allowed to be dismissed as withdrawn by the High Court. CRM-M-6158-2019 was dismissed as withdrawn

vide order dated 02.07.2019. Lodging of independent FIR on a cause of action arising out of and based on the application under Section 340 Cr.P.C, would remain debatable.

Even in the aforesaid FIR, the petitioner has been nominated solely on the basis of disclosure statement of the accused i.e. brother of the petitioner.

Notice of motion for 30.04.2020.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 01.03.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of the order dated 26.02.2020, petitioner has joined the investigation to the entire satisfaction of the Investigating Officer. Even challan has been submitted before the trial Court.

Learned State counsel on instructions from ASI Naib Singh admits the aforesaid fact and submits that the petitioner is no more required for further investigation in the case and challan has been submitted to the Court on 24.09.2020 and now the case is fixed for 17.08.2021 for further proceedings.

In view of aforesaid factual position, the interim order dated 26.02.2020 is made absolute. However, petitioner undertakes to appear before the trial Court regularly.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

16.08.2021
Amandeep

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No