

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Date of Decision : 20.08.2021

...Petitioner

Versus

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. RVS Chugh, Advocate for the petitioner.

Mr. Balbir Singh Sewak, Addl.A.G., Punjab.

Mr. Bikramjeet Singh Jatana, Advocate for the complainant.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the petition under Section 438 Cr.P.C. is for grant of pre-arrest bail to the petitioner in case FIR No.009 dated 04.01.2020 registered under Section 306 and 149 IPC at Police Station City-II, Mansa.
3. On 27.02.2020, the following order was passed:-

“Vakalatnma on behalf of complainant has been filed in Court today, though he has not been impleaded as party. The same is taken on record. Be tagged at the appropriate place.

Through this petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to petitioner, in case FIR No. 009 dated 04.01.2020 registered under Sections 306 and 149 IPC at Police Station City-II, Mansa.

Notice of motion for 17.04.2020.

In the meanwhile, the petitioner is directed to join

investigation as and when called by the Investigating Officer. In the event of arrest, he shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. He shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.

Learned counsel for the complainant is directed to produce income-tax return of deceased-Darshan Singh, showing alleged expenditure of ₹80-85 lakhs for constructing three flats on the plot which he had sold to the petitioner.”

4. Today, learned counsel for the petitioner contends while learned State counsel, on instructions from *SI Jasbir Singh*, confirms that pursuant to the order of this Court dated 27.02.2020, the petitioner joined investigation, fully cooperated with the police, was released on ad interim pre arrest bail and that his custodial interrogation is not required.

5. In view of the statement of learned State counsel, order dated 27.02.2020, passed by this Court, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be read as an expression of opinion on the merits of the case.

6. Petition stands *disposed of* in the aforementioned terms.

(B.S. Walia)
Judge

20.08.2021

ps

<i>Whether speaking/ reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>