

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-8730 of 2020
Date of decision:20.09.2021

Narinder Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Karandeep S. Sidhu, Advocate
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

Heard through video conferencing.

Through the instant petition, the petitioner seeks anticipatory bail in case FIR No.0011 dated 26.01.2020 registered under Sections 341, 382, 506, 34 of Indian Penal Code, 1860 at Police Station Nurpur Bedi, District Rupnagar (Annexure P-1).

On 28.02.2020, while granting interim protection to the petitioner, this Court passed the following order:-

“Learned counsel for the petitioner submits that the petitioner is the registered owner of Tipper TATA 2518 bearing registration No.PB-11-BF-7921, which the complainant alleges has been stolen from him. According to the counsel, the possession of Tipper was handed over to one Baljinder Singh under a Special Power of Attorney dated 27.02.2019 and

subsequently, an agreement dated 15.04.2019 (Annexure P-5) was entered into by the petitioner with Baljinder Singh wherein it was inter alia stipulated that Baljinder Singh will make the payment of the loan taken for purchase of the Tipper and in case he fails to make payment to the Finance Company, the petitioner will have a right to impound the Tipper. By relying upon the bank statement (Annexure P-7), counsel submits that Baljinder Singh could not make any payment towards pending loan amount and voluntarily handed over the possession of the Tipper to the petitioner.

Notice of motion for 07.05.2020.

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

Learned State counsel, on instructions from ASI Raj Kumar submits that the petitioner has joined the investigation and is no longer required for custodial interrogation, though he is named as an accused in FIR No.135 dated 07.11.2012 registered against him under the Mines and Minerals (Development and Regulation) Act, 1957 and Sections 379-B and 188 of Indian Penal Code, 1860.

Counsel for the petitioner submits that the petitioner is not in contact with him and he is not able to get instructions regarding the other FIR.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 28.02.2020 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

September 20, 2021

savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes
Whether Reportable	Yes/No