

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-15322-2021

Date of Decision : 05.10.2021

Gurpreet Singh

..... Petitioner

Vs

State of Punjab

..... Respondent

2.

CRM-M-30029-2021

Jagtar Singh

..... Petitioner

Vs

State of Punjab

..... Respondent

3.

CRM-M-31056-2021

Buta Singh @ Boota Singh

..... Petitioner

Vs

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:- Mr.J.S.Dadwal, Advocate
for the petitioner
in CRM-M-15322 & 31056-2021.

Mr.Amritpal Singh Gill, Advocate
for the petitioner in CRM-M-30029-2021.

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

Mr.A.S.Brar, Advocate
for the complainant.

RAJ MOHAN SINGH, J.(Oral)

The cases have been taken up for hearing through video-conferencing.

By this common order, CRM-M-15322-2021 titled 'Gurpreet Singh vs State of Punjab', CRM-M-30029-2021 titled 'Jagtar Singh vs State of Punjab' and CRM-M-31056-2021 titled 'Buta Singh @ Boota Singh vs State of Punjab' are being disposed of.

Since all the three cases have arisen from one FIR, therefore, common facts are being noticed.

Petitioners seek grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.59 dated 20.04.2019 registered under Section 406 IPC, at Police Station City Nawanshahar, District SBS Nagar.

FIR No.59 dated 20.04.2019 was lodged under Section 406 IPC at Police Station City Nawanshahar, District SBS Nagar with the allegations that M/s Shreem, Electric Limited was provided the task of erecting transformers and augmentation of LT/HT, HT cable erection and poles erections etc. by the Punjab State Power Corporation Limited under R-APDRP Project. The assignment was given in the area of Nawanshahar. The accused persons being interested persons in erection work approached the officials of the company for the same purpose in the area of Nawanshahar on labour basis.

After negotiations all the things in respect of rates etc. were

settled. It was settled that material is to be supplied by the complainant party. Complainant party issued a letter of intent to the accused. Work of erection was to be completed by a specific date. The terms and conditions of agreement were settled. The allegations of cheating and fraud have been made against the accused party on the premise that the accused were entrusted an electric equipment by the complainant company for installation. However, after installation, the balance material/equipment were not returned to the company.

Learned counsel for the petitioner submits that the accused had the contract of keeping electric equipment from the complainant company. The material was kept by the accused in a rented premise at Nawanshahar. On 10.11.2016, son of accused Jagtar Singh met with an accident and the work of installation had to be stopped. The material was lying in the rented premises. On 08.07.2017, the accused found that the material lying in the store had been stolen for which FIR No.31 dated 21.03.2017 was registered under Section 457/380 IPC at Police Station City Nawanshahar much before lodging of present FIR. A civil suit for rendition of account was also pending between the parties. There was an arbitration clause in the agreement. Defendant in the suit has already filed an application for rejection of the plaint under Order 7 Rule 11 CPC and under Section 8 of the Arbitration and Conciliation Act, 1996. Vide

different orders, interim anticipatory bail was granted to the petitioners.

Learned State counsel admits that the petitioners have joined the investigation and they are no more required for any further investigation in the case. Even in case of Gurpreet Singh, challan has been submitted to the Court. Accused Jagtar Singh has joined investigation on 06.08.2021. Accused Buta Singh @ Boota Singh has also joined the investigation on 10.08.2021.

In view of the statement made by learned State counsel, the interim anticipatory bail granted to the accused/petitioners vide different orders are made absolute. Petitioners shall keep on joining the investigation as and when required to do so and they shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

05.10.2021
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Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No