

In the High Court of Punjab and Haryana at Chandigarh

101+201

**CRM-M-16114-2020 (O & M)
Date of Decision: February 15, 2021**

THOMAS

.....PETITIONER

VERSUS

STATE OF PUNJAB AND ANR

....RESPONDENTS

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr.Rahul Bhargava, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

Mr. Santpal Singh Sidhu, Advocate
for the complainant.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.133 dated 16.10.2019, under Sections 306, 120-B of the Indian Penal Code ('IPC' - for short), registered at Police Station Majitha Road, District Amritsar City.

On 02.07.2020, a Coordinate Bench of this Court had passed the following order:-

“Case is being taken up for hearing through Video Conferencing due to the outbreak of pandemic Covid-19.

Learned DAG, Punjab, on instructions received from the Investigating Officer states that the complainant’s father is not the owner of the medical shop and the same is in the name of one Vishal Sharma.

Learned counsel for the petitioner states that in view

of the statement made by learned DAG, Punjab, it is apparent that it is the petitioner, who has been cheated by the complainant's father by projecting himself to be the owner of the medical shop and thereby entering into an agreement with the petitioner for a sum of Rs.12 Lakh against which a total payment of Rs.10 Lakh was made partly in account and partly in cash.

Learned counsel for the petitioner further states that the complainant of the case may impleaded as respondent No.2 as his presence is necessary for the fair and proper adjudication of the matter.

Ordered accordingly.

List on 06.08.2020.

In the meantime, the petitioner shall join investigation as and when called upon to do so by the investigating officer. In the event of his arrest, the petitioner shall be released on ad-interim pre-arrest bail subject to his furnishing adequate bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall fully cooperate with the Investigating Officer and shall abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C., failing which, interim protection granted to him shall stand vacated.

Learned counsel for the petitioner to file amended memo of parties in the Registry within three days.

List along with CRM-M-55064 of 2019."

Learned State counsel, upon instructions from ASI Sukhjinder Singh, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the order dated 02.07.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

February 15, 2021
A.Kaundal

Whether speaking/ reasoned	:	Yes/No
Whether Reportable	:	Yes/No