

CRM-M-21369-2021(O&M)

Date of Decision:- 08.11.2021

NARINDER SINGH

...*Petitioner**Verses*

STATE OF PUNJAB

... *Respondent****CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ***Present: Ms. Rajesh Bhatheja, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Ms. Puja Chopra, Advocate
the complainant.

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.66 dated 07.4.2021, registered under Sections 420, 465, 467, 468, 471 IPC of 1860 at Police Station Sarabha Nagar, District Police Commissionerate, Ludhiana. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 28.05.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the allegations in the FIR relate to the alleged bogus registration of sale deeds bearing Nos.21877 and 18813 executed in the year 1989 by the vendors

(including father of the complainant). According to learned counsel, the property mentioned in sale deed No.21877 was purchased by Balbir Singh from whom the petitioner purchased the said property, by way of judgment and decree dated 25.01.2014 (Annexure P-4). Learned counsel has pointed out that the above sale deeds are already subject matter before the civil Court in a separate suit filed by complainant and the dispute is yet to be finally adjudicated upon. According to him, the dispute between the parties is based upon documentary material, therefore, in the given facts, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 08.11.2021.

At this stage, Ms. Puja Chopra, Advocate appears on behalf of the complainant.

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

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by SI Balbir Singh does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 28.05.2021 is made absolute

08.11.2021
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(MANOJ BAJAJ)
JUDGE

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