

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(214)

CRM-M-21621-2021
Date of decision: - 04.10.2021

Pardeep Kumar @ Kaka

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Vishnu Dutt, Advocate for
Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Mr. Nitin Sachdeva, Advocate for complainant.

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

While granting interim protection to the petitioner, this Court passed the following order on 31.05.2021:-

“The Court has been convened through video conferencing due to Covid-19 Pandemic.

Instant petition has been filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No. 119 dated 18.05.2021 for offences under Sections 380, 447 and 34 of the Indian Penal Code, 1860, registered at Police Station Jodhewal, District Ludhaina (Annexure P-1).

Counsel for the petitioner submits that the FIR (Annexure P-1) has been registered against the petitioner on the allegation that the shop, wherein the

complainant was a tenant, has been broken into and articles worth Rs.20 lacs have been stolen. Counsel submits that the petitioner has been falsely framed and the reasons for naming him in the FIR is that the complainant was originally a tenant under Jagmohan Singh and after the death of the landlord, the property was purchased by wife of Vikram Sahota, vide a registered Sale Deed, to which the petitioner is a witness.

Notice of motion.

On asking of the Court, Mr. Saurav Khurana, DAG, Punjab, who is assisted by Mr. Nitin Sachdeva, Advocate for the complainant accepts notice. Counsel for the complainant submits that the petitioner is a partner of Vikram Sahota and both of them are hand in glove with each other.

List on 04.10.2021.

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, upon instructions, from ASI, Jasvir Singh, submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation. He, however, submits that the petitioner is involved in a FIR registered against him for offence under the Narcotic Drugs and Psychotropic Substances Act, 1985.

Counsel appearing for the complainant submits that there is a compromise between the parties and he does not have any objection in case the interim order is confirmed.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed. Order dated 31.05.2021 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

04.10.2021
Kamal

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No