

CRM-M-22109-2021

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-22109-2021.
Date of Decision:-04.10.2021.

Jatinder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Anmol Puri, Advocate for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

Mr. Aman Dhir, Advocate for the complainant.

(Through Video Conferencing)

VIKAS BAHL, J. (Oral)

This is first petition under Section 438 for grant of anticipatory bail to the petitioner in case bearing FIR No.97 dated 10.05.2021 under Sections 420, 467, 468, 471 and 120-B of IPC, registered at Police Station Dirba, District Sangrur.

On 04.06.2021, a Coordinate Bench of this Court was pleased to pass the following order:-

“This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

It is inter alia submitted that the petitioner is unnecessarily being involved due to business rivalry between co-accused Mithu Ram and the complainant-Megh Raj. It is

further submitted that the complainant's guarantee was deleted in the year 2018 itself and fresh guarantee was submitted by Mithu Ram. The complainant has no liability towards the loan in question. Moreover, coaccused-Mithu Ram, has been afforded the concession of bail pending trial in FIR No. 97, dated 10.05.2021, under Sections 420, 467, 468, 471 and 120-B IPC, Police Station Dirba, District Sangrur and other co-accused have been afforded the concession of anticipatory bail. Petitioner undertakes to join investigation and fully cooperate with the Investigating Agency.

Notice of motion.

Mr. Sukhbeer Singh, AAG., Punjab, accepts notice on behalf of the respondent-State.

Mr. Aman Dhir, Advocate, appears on behalf of the complainant.

At request, adjourned to 06.09.2021.

In the meanwhile, the petitioner shall appear before the Investigating Officer and join investigation. In the event of his arrest, the petitioner shall be released on bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in Section 438(2) Cr.P.C."

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Harjoginder Singh, has submitted that the petitioner has joined the investigation and is

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not required for further investigation.

Learned counsel for the complainant has opposed the bail application.

This Court has heard the learned counsel for the parties.

Keeping in view the above facts and circumstances, moreso, the fact that the petitioner has joined the investigation and is not required for further investigation and the dispute has civil tappings and also, the fact that the main accused, namely, Mithu Ram has already been granted bail, the present petition is allowed and the interim order dated 04.06.2021 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

(VIKAS BAHL)
JUDGE

October 04, 2021.

sandeep

Whether speaking/reasoned:-

Yes/No

Whether Reportable:-

Yes/No