

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 202

CRM-M-37067-2021

Date of decision : 06.12.2021

Apkar Singh and another

..... Petitioners

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.M.S.Khaira, Advocate, for the petitioners.

Ms.Gunkirat Kaur, AAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

The matter has been taken up through video conferencing.

Through the present petition filed under Section 438 Cr.P.C. the petitioners seek anticipatory bail in FIR No.151 dated 05.08.2021 registered under Sections 420 and 120-B IPC at Police Station Fatehgarh Sahib, District Fatehgarh Sahib.

On 08.09.2021 this Court had passed the following order: -

“Learned counsel for the petitioners inter-alia contends that the petitioners have been falsely implicated in this case only with the object to arm twist them to return the pending loan; the petitioners have no criminal antecedents; the allegations against the petitioners that the land mortgaged by them with the complainant- Corporation was not under their ownership is false in the light of decree dated 17.03.1994 passed by the Sub Judge 1st Class, Fatehgarh Sahib through which the petitioners were declared owners of the property which they mortgaged with the Corporation to get the loan; the sale deed which was entered on the basis of afore decree was also handed over to the Corporation at the time of securing the loan and that the petitioners are also ready and willing to join investigation as and when called by the investigating agency.

Notice of motion.

Mr.J.S.Ghumman, Deputy Advocate General, Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 06.12.2021.

Before the adjourned date the State shall file a concise status report.

In the meanwhile subject to the petitioners' joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C, in the event of their arrest in FIR No.151, dated 05.08.2021, registered under Sections 420, 120-B IPC at Police Station Fatehgarh Sahib, District Fatehgarh Sahib, they shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioners have joined the investigation; have cooperated with the investigating agency and that their custodial interrogation is not required by the State.

In view of the above and the statement made by learned State counsel that the petitioners' custodial interrogation is not required, the order of this Court dated 08.09.2021, granting ad interim anticipatory bail to the petitioners is made absolute.

06.12.2021
shamsher

[DEEPAK SIBAL]
JUDGE

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