

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-37573-2021 (O&M)

Date of decision: 29.11.2021

Sarabjit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. K.S. Dhanora, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.167 dated 20.08.2021 under Sections 406, 420, 120-B IPC, registered at Police Station Jamalpur, District Ludhiana.

While granting interim bail to the petitioner, following order was passed by this Court on 10.09.2021: -

“...Counsel for the petitioner has argued that the FIR was registered on the complaint given by Navpreet Singh, with the allegations that the accused Poonam, wife of the petitioner, the petitioner – Sarabjit Singh, Deepak and Mandeep, have committed a fraud and have obtained huge amount on the pretext of procuring government job for the daughter of the complainant. It is stated that in that process, some amount was paid to wife of the

petitioner Poonam and when the accused could not procure the appointment, Poonam gave a cheque of R.8.00 lacs, which was dishonoured.

Counsel for the petitioner has further submitted that in fact it is a money dispute, which has been given the colour of criminal case. It is also submitted that the complainant has already served a notice on the co-accused Poonam and thereafter, he has filed a complaint under Section 138 of the Negotiable Instruments Act against the co-accused Poonam. It is lastly, submitted that in the complaint filed under Section 138 of the Negotiable Instruments Act, there is no allegation of handing over any amount to the petitioner as it is stated that the accused received an amount of Rs.14.00 lacs and thereafter, Poonam gave the cheque...”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from ASI Dalbir Singh, has not disputed the factual position and states that the petitioner is no more required for any further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 10.09.2021 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

[ARVIND SINGH SANGWAN]
JUDGE

29.11.2021
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No