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**IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH**

CRM-M-38026-2021

Date of decision : 24.11.2021

Paramjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

**CORAM: HON'BLE MR. JUSTICE VIKAS BAHL**

Present: Mr. Raman Mohinder Sharma, Advocate for the petitioner.

Mr. Sarabjit Singh, AAG, Punjab.

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**VIKAS BAHL, J. (ORAL)**

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.150 dated 11.07.2021 registered under Sections 419, 420, 465, 467, 468, 406, 120-B of the Indian Penal Code, 1860 at Police Station City-I Abohar, District Fazilka.

On 14.09.2021, this Court had passed the following order:-

*“Prayer in the present petition is to grant anticipatory bail to the petitioner in FIR No.150 dated 11.07.2021 registered under Sections 419, 420, 465, 467, 468, 406, 120-B of the Indian Penal Code, 1860 at Police Station City-I Abohar, District Fazilka.*

*Learned counsel for the petitioner inter alia contends that the petitioner is not the beneficiary in the present case and he is neither the signatory to the agreement to sell dated 18.06.2019 nor to the extension dated 01.06.2020 and even as per the prosecution case, is only a witness to the agreement dated 30.07.2020 and as per the said extension*

*which has been annexed as Annexure P-4 with the present petition, no money has been paid at the time of said extension. It is further submitted that the petitioner is neither the Lambardar nor the Sarpanch and the FIR has been registered without any report of the Handwriting Expert. It is further submitted that the petitioner has not even identified Beant Kaur but has identified the other witness. It is also submitted that at any rate, the entire aspect is based on documents and thus, the custodial interrogation of the petitioner is not required. For the said purpose, learned counsel for the petitioner has relied upon the judgment passed by the Coordinate Bench of this Court in **Gian Kaur and another Vs. State of Punjab**, reported as **2018(5) RCR (Criminal) 921**. It is also submitted that one of the co-accused of the petitioner namely Pardeep Kumar had also approached this Court by way of filing petition bearing CRM-M-37214-2021 and this Court was pleased to grant interim protection to him vide order dated 09.09.2021.*

*Notice of motion.*

*On asking of the Court, Mr. Karanbir Singh, AAG, Punjab, accepts notice on behalf of State of Punjab and seeks time to get instructions.*

*Adjourned to 24.11.2021.*

*In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.*

*To be heard alongwith CRM-M-37214-2021.”*

Learned counsel for the petitioner has vehemently submitted that

in pursuance of the abovesaid order, the petitioner has joined the investigation.

Learned counsel for the State has opposed the present petition for grant of anticipatory bail to the petitioner.

Keeping in view the abovesaid facts and circumstances, more so the facts as noticed in the abovesaid order dated 14.09.2021 to the effect that the petitioner was not a beneficiary in the present case and he was neither the signatory to the agreement to sell dated 18.06.2019 nor to the extension dated 01.06.2020 and was only a witness to the agreement dated 30.07.2020 and as per the said extension, no money had been paid at the time of said extension and also, in view of the fact that the petitioner, as per the statement of learned counsel for the petitioner, has joined the investigation and the present case being a case based on documentary evidence, the petitioner would not be required for any further custodial interrogation, the interim order dated 14.09.2021 is ordered to be made absolute.

Accordingly, the present petition is allowed.

However, nothing stated above shall be construed as an 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.

**24.11.2021**

*Pawan*

**(VIKAS BAHL)  
JUDGE**

**Whether speaking/reasoned:-**

**Yes/No**

**Whether reportable:-**

**Yes/No**