

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

I) CRM-M-38936-2020 (O&M)

Gurmeet Singh ... Petitioner

Versus

State of Punjab ... Respondent

II) CRM-M-40218-2020 (O&M)

Shoukat Khan @ Sokat ... Petitioner

Versus

State of Punjab ... Respondent

Date of Decision:-7.1.2021

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sumeet Puri, Advocate for the petitioner(s).

Ms. Sheenu Sura, DAG, Haryana,
assisted by SI Satnam Singh.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J.(Oral)

1. This order shall dispose of the aforesaid two petitions filed on behalf of petitioners Gurmeet Singh and Shoukat Khan @ Sokat seeking grant of anticipatory bail in respect of a case registered vide FIR No.130 dated

21.10.2020 at Police Station Chhajli, District Sangrur under Sections 420 and 120-B of Indian Penal Code.

2. At the time of issuance of notice of motion in CRM-M-38936-2020, the following order was passed on 25.11.2020:

“ The petitioner is seeking anticipatory bail in FIR No.130 dated 21.10.2020, under Sections 420 and 120-B IPC, registered at Police Station Chhajli, District Sangrur.

Learned counsel for the petitioner contends that the petitioner is not named in the FIR wherein it is alleged that paddy has been brought from other States fraudulently for sale in Sunam. The petitioner has been arraigned as an accused as the tractor-trolley loaded with paddy which was found at Grain Market, Sunam belongs to the petitioner. He also contends that the petitioner is a small agriculturist and has owning agricultural land in village Chhahar, Tehsil Sunam. He is resident of Sunam and has every right to sell his produce at Grain Market, Sunam. The petitioner is not involved in any other criminal case.

Issue notice to the respondent.

At the asking of the Court, Mr. Hittan Nehra, Addl. AG, Punjab accepts notice on behalf of the State.

List on 07.01.2021.

In the meantime, petitioner is directed to appear before the Investigating Officer and join investigation.

In the event of his arrest, the Investigating Officer/Arresting Officer shall release the petitioner on ad-interim bail subject to his/her satisfaction. The petitioner shall remain bound by the conditions envisaged under Section 438(2) Cr.P.C.”

3. A similar order was passed in CRM-M-40218-2020 on 3.12.2020.
4. The learned State counsel, upon instructions from SI Satnam Singh, has informed that pursuant to interim directions issued by this Court, the

petitioners have since joined investigation and that they are not involved in any other case. It has also been informed that the recovery in question has been effected.

5. Having regard to the aforestated position, wherein the petitioners have already joined investigation and the recovery stands effected, custodial interrogation of the petitioners is not warranted. The petitions, as such, are accepted and the interim directions issued by this Court vide orders dated 25.11.2020 and 3.12.2020 are hereby made absolute subject to the condition that the petitioners shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

7.1.2021

pankaj

(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned Yes / No

Whether Reportable Yes / No