

213 (2)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-39981-2020
Date of decision-01.09.2021

VIJAY KUMAR

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Rakesh Chopra, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

Mr. Harjot Singh Bains, Advocate
for the complainant.

MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.0135 dated 27.07.2020, under Sections 420/465/467/468/471/120-B Indian Penal Code, 1860, registered at Police Station Nurpur Bedi, District Rupnagar. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has argued that the petitioner is deed writer and dispute, if any, is purely in civil nature and civil litigation is pending between the parties.

Learned counsel for the petitioner has invited the attention of

the Court to the order dated 03.12.2020, whereby, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the dispute between the parties is purely of civil nature and civil litigation is also pending. He has submitted that his co-accused, namely Shiv Kumar, has already been extended the concession of interim pre-arrest bail vide order dated 11.11.2020 passed in CRM No.29946 of 2020.

Notice of motion for 04.02.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

To be heard along with CRM-M-29946-2020.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Raj Kumar does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 03.12.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

01.09.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No