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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-41496-2020
Date of decision-06.09.2021

BUTA SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Deepak Gupta, Advocate
for the petitioner.

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

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.146 dated 27.11.2020, under Sections 420, 465, 467, 468 & 471 Indian Penal Code, 1860, registered at Police Station Kotakpura, District Faridkot. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 14.01.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Counsel for the petitioner herein prays for grant of anticipatory bail to the petitioner. It is argued that in fact, the petitioner had never applied for the said old age pension, which has been given to him. It is also submitted

that the entire amount received by him has been returned much before the filing of the FIR, therefore, his custodial interrogation would not be required.

Notice of motion.

At this stage, Ms. Rashmi Attri, AAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State. Similarly, Mr. Amaninder Sekhon, Advocate accepts notice on behalf of the complainant.

Adjourned to 18.05.2021.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to 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. ”

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 Sukhwinder Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being. He further states that final report also stands filed.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 14.01.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

06.09.2021

Vipin kumar

Whether speaking/reasoned :
Whether Reportable :

Yes	No
Yes	No