

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

203

CRM-M-36573-2019

Date of decision: 29.07.2021

Lovepreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. H. S. Aujla, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Gaurav Sharma, Advocate
for the complainant.

(through video conferencing)

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 98 dated 19.06.2019, registered under Section 406 of the IPC at Police Station Chheharta, Police District Commissionerate, Amritsar.

The operative part of the order dated 02.09.2019, vide which the petitioner has been granted interim bail, is reproduced below:

“Learned counsel for the petitioner submits that the FIR has been registered on the basis of opinion given by the District Attorney that offence under Section 406 IPC is made out, as the petitioner has misappropriated a vehicle bearing registration No.PB-01-8832. It is further submitted that a perusal of the FIR shows that the petitioner has a longstanding business relation with the complainant, as he was obtaining the loan and was repaying the same and the dispute is primarily regarding non-payment of the installments.

Notice of motion for 27.09.2019.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 02.09.2019, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Dilbagh Singh, has not disputed the factual position and submits that though the petitioner has joined the investigation, however, the car is not recovered so far.

In view of the above and considering the fact that petitioner is on interim anticipatory bail for the last about two years and he has not misused the same during that period, the present petition is allowed and the interim bail granted to the petitioner, vide order dated 02.09.2019, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

29.07.2021

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No