

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

206

CRM-M-43137-2020 (O&M)

Date of Decision: 27.10.2021

Major Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Pankaj Bains, Advocate, for
Mr. Joy, Advocate, for the petitioner.

Mr. Harbir Sandhu, AAG, Punjab
assisted by ASI Shashbir Kumar.

Mr. Rishav Jain, Advocate, for the complainant.

(proceedings conducted through video conferencing)

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in a case registered against him vide FIR No.143 dated 20.11.2020 at Police Station City Morinda, District Roopnagar, under Sections 406/420/467/468/471 IPC.
2. At the time of issuance of notice of motion on 21.12.2020, the following order was passed:

“The petitioner seeks grant of anticipatory bail in respect of a case registered against him vide FIR No.143, dated 20.11.2020, Police Station City Morinda, District Roopnagar, under Sections 406, 420, 467, 468, 471 IPC.

The FIR was lodged at the instance of one Stephen Singh who claims to be attorney of UCNITA (United Church of Northern India Association) and also claims himself to be a General Secretary of the said Association. It is alleged that the

properties of UCNITA situated throughout India are managed through the complainant whereas the petitioner while falsely claiming himself to be a Christian had taken possession of one shop from R.C. Chauhan and had given it to Rajinder Pal by taking an amount of approximately Rs.8 to 10 lakhs from him and that subsequently said Rajinder Pal had deposed against petitioner-Major Singh.

It is further alleged that the petitioner, while falsely claiming himself to be President of Morinda Church Council though he had no document to support his claim, has been collecting rent in respect of the shops but has not been depositing the same with UCNITA at Morinda. It is further alleged that the petitioner is involved in anti social activities in connivance with R.C. Bittat, Prem Masih, Youns Masih, Abhinash Kumar, Lawarance Chaudhary and others and had been flittering away the properties of the Church. It is alleged that when one Sohan Lal and Chaman Lal objected to the same, he got a false FIR lodged against them in which they were ultimately acquitted.

It is alleged that one property situated at Morinda Nirmal Das sold the property of the Church to Jagtar regarding which a civil suit came to be filed which has now have been compromised and Jagtar is required to pay an amount of Rs.5 lakhs towards construction of Church. It is also alleged that the accused has been threatening to eliminate the complainant. Learned counsel for the petitioner has submitted that he has falsely been implicated in the present case and that in fact he is the rightfully appointed General Secretary of UCNITA and in fact an FIR against the aforesaid Stephen Singh i.e. FIR No. 55, dated 1.3.2019, Police Station City Kharar, under Sections 420, 465, 467, 468, 471, 120-B IPC (Annexure P-6) was lodged after extensive inquiry into the matter.

Notice of motion for 19.4.2021.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the

Arresting/Investigating Officer and shall abide by the conditions as provided under Section 438 (2) Cr.P.C.

At this stage, Sh. Rishav Jain, Advocate, puts in appearance on behalf of the complainant and accepts notice on behalf of the complainant.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and he is not required for any custodial interrogation.
4. In view of the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 21.12.2020 are hereby made absolute subject to the condition that the petitioner 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.

27.10.2021

VY

(GURVINDER SINGH GILL)

JUDGE

Whether speaking/reasoned: **Yes/No**

Whether reportable: **Yes/No**