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

CRM-M-44083-2020

Date of decision-25.03.2021

SANJEEV KUMAR

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Tribhawan Singla, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.169 dated 02.10.2020 under Sections 406 & 420 Indian Penal Code, 1860 registered at Police Station Jamalpur, District Ludhiana. 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 05.01.2021, the interim protection was extended to the petitioner. The said order reads as under:-

“Mr. Singla, learned counsel states that the petitioner is unable to deposit amount of Rs.3,63,950/- and the alleged affidavit dated 30.01.2019 was sworn in by him under pressure. He further contends that the property owned by Chawla Real Estate was to be transferred to the complainant(s), who were willing to purchase the plots on installments. According to him, till date the property is in the name of the Chawla Real Estate and as per prosecution, some of the installments allegedly paid by the proposed buyers were not deposited with the owner and therefore, the petitioner being an agent has been indicted as an accused through FIR No.169 dated 02.10.2020. According to him, the installment amount has

not been properly accounted for by the seller, therefore, the custodial interrogation of the petitioner may not be necessary as he is willing to join the investigation.

Adjourned to 25.03.2021.

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 petitioner shall also abide by the conditions as specified 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 Dalvir 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.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 05.01.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

25.03.2021

Vipin kumar

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