

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

201-1

CRM-M-44322-2020

Date of Decision:30.09.2021

KARAN GOYAL AND ORS

...PETITIONERS

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present: Mr. Ashok Kumar Khunger, Advocate for the petitioners.

Mr. Prabhjot Singh Walia, AAG, Punjab.

Mr. Kashish Garg, Advocate for the complainant.

SUVIR SEHGAL, J.(ORAL)

Heard through video conferencing.

Through the instant petition filed under Section 438 of Code of Criminal Procedure, 1973, the petitioners seek anticipatory bail in case FIR No.195 dated 03.12.2020, registered under Sections 420, 406, 506, 120-B of IPC, 1860, at Police Station Nehianwala, District Bathinda.

While granting interim protection to the petitioners on 31.12.2020, a Co-ordinate Bench of this Court passed the following order:-

“Learned counsel for the petitioners prays for grant of anticipatory bail to the petitioner while inter-alia contending that the matter was thoroughly investigated and an opinion was given saying that the matter has arisen out of a civil dispute. It is further argued that despite the given opinion, an FIR has been registered against the petitioners. It is contended that the petitioners are ready and willing to join investigation.

Notice of motion.

Mr. Gaurav Garg Dhuriwala, Sr. DAG, Punjab appearing through the medium of video conferencing accepts notice on behalf of the respondent State and seeks time to file reply.

An appearance has been caused by Mr. Kashish Garg, Advocate on behalf of the petitioners, who opposes the grant of pre-arrest bail to the petitioners while submitting that the petitioners are refusing to pay the amount as due to them.

Adjourned to 20.05.2021.

Meanwhile, petitioners are directed to join the investigation within a period of one week and on doing so, the petitioners be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioners shall continue to join the investigation as and when called upon to do so and shall abide by the conditions incorporated under Section 438(2) Cr.P.C.”

Reply has not been filed by the State, but State counsel, on instructions from ASI Kuldeep Singh, states that the petitioners have joined the investigation and they are no longer required for custodial interrogation. Upon further instructions, he submits that the petitioners are not involved in any other criminal case.

In view of the said facts, without commenting on the merits of the case, the present petition is allowed and the order dated 31.12.2020 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

30.09.2021
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(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No