

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

**CRM-M-43563 of 2019 (O&M)
DATE OF DECISION :- July 26, 2021**

Piara Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. Ravi Malhotra, Advocate for the petitioner.

Mr. J.S. Ghuman, DAG, Punjab.

CRM No. 21825 of 2021

The case has been taken up through Video Conferencing.

This is an application for placing on record copies of certificates dated 22.10.2020 and 29.10.2020 as Annexures P4 and P5.

Heard.

Allowed subject to all just exceptions.

CRM-M-43563 of 2019

Learned counsel for the petitioner has contended that in terms of the certificates issued by the concerned bank i.e. State Bank of India, Rajpura Town Branch dated 22.10.2020 (Annexure P-4), petitioner accused Piara Singh has repaid the entire loan amount and bank has requested to Naib Tehsildar, Rajpura for withdrawal of the incumbrance in favour of bank from land of the petitioner accused and to similar effect is certificate issued by the Rajpura Primary Coop. Agricultural Dev. Bank, Rajpura (Annexure P-5). He has further stated that the petitioner has since joined the investigation and no recovery is to be effected from him, therefore, the interim bail granted to him be made absolute.

Learned State counsel on instructions from ASI Surjit Singh states that as from verification carried out by the local police, petitioner has in fact repaid the loan amount to both the banks who have issued the certificates, copies of which have been placed on record by the petitioner today. Learned State counsel on instructions has further contended that in view of such situation and the fact that petitioner has joined the investigation, no recovery is to be effected from him, therefore, his custodial interrogation is not required.

Under such circumstances, the interim bail granted to the petitioner on 22.10.2019 is made absolute, subject to the following conditions :-

- (i) he shall join the investigation as and when so directed.
- (ii) he shall appear in the Court on each and every date of hearing.
- (iii) he shall not give any threat or intimidation to the prosecution witnesses.
- (iv) he shall not leave India without prior permission of the Court.
- (v) he shall surrender his Passport before the Investigating Officer and if he is not having Passport then shall file the affidavit in that regard.

In case the petitioner violates any term and condition on which the bail has been granted to him, the prosecution would be entitled to apply for cancellation of bail.

The petition stands allowed accordingly.

(H.S. MADAAN)
JUDGE

July 26, 2021
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No