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

CRM-M No. 46381 of 2019

Date of Decision:24.09.2021

RANDHIR SINGH

.....Petitioner

Vs

STATE OF PUNJAB AND ANR

.....Respondents

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr.Hardeep Singh, Advocate
for the petitioner.

Mr.Bhupender Beniwal, AAG, Punjab

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.72 dated 02.05.2021 registered under Sections 420, 120-B IPC at Police Station Samana District Patiala.

On 31.01.2020, following order was passed by the co-ordinate bench:-

“The petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.72 dated 02.05.2019 registered under Sections 420 and 120-B of the Indian Penal Code, 1860 at Police Station City Samana, District Patiala.

Learned Counsel for the petitioner has

submitted that the petitioner had earlier also taken loan from the complainant firm and had paid the entire loan amount to the complainant firm. The gold ornaments as pledged were checked and weighed by the approved valuers of the complainant firm and on verification the gold loan was granted to the petitioner. The petitioner never gave the spurious gold to the complainant firm. The co-accused namely Vipul Jindal valuer of the complainant firm had already been granted interim relief by this Court and the petitioner be granted concession of Anticipatory bail.

Learned State Counsel seeks time to file reply.

In view of the facts and circumstances of the case, presence of the complainant is considered to be necessary for just and proper decision of the petition and on oral request made by learned Counsel for the petitioner, complainant is ordered to be impleaded as respondent No.2. Memo of Parties be amended accordingly.

Adjourned to 16.04.2020.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by the petitioner to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall forfeit the benefit of interim bail allowed to him.

Notice to newly added respondent No.2 be issued for that date on filing of process fee by the petitioner within three working days and notice be also given dasti, if so desired.

(Arun Kumar Tyagi)

Judge

31.01.2020”

Learned counsel for the petitioner submits that in compliance of order dated 31.01.2020, petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Rajbir Singh, admits the aforesaid fact and submits that the petitioner has joined the investigation on 24.02.2020 and even challan has been presented to the competent court on 16.08.2021.

In view of aforesaid factual position, the interim order dated 31.01.2020 is made absolute. Petitioner shall keep on appearing before the trial Court regularly.

Petition stands disposed of.

(RAJ MOHAN SINGH)
JUDGE

24.09.2021

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Whether speaking/reasoned Yes/No

Whether reportable Yes/No