

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

Date of Decision: June 28, 2021

Satwinder Singh @ Rubi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. S.S.Sidhu, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr.DAG, Punjab.

Mr. S.P.S.Sidhu, Advocate,
for the complainant.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.249 dated 24.10.2019, under Sections 420 and 506 IPC 1860, registered at Police Station, Canal Colony, Bathinda, District Bathinda. The petitioner apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 20.11.2019, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the petitioner was a co-sharer with the complainant and previously also a case FIR No.75 dated 27.05.2016 was registered against the petitioner and others upon a complaint by brother of Gian Singh Kalra under Sections 420, 34 IPC at Police Station Canal Colony, Bathinda. In the said FIR, the petitioner was granted the concession of pre-arrest bail vide order dated

18.11.2016 (Anenxure P-9). He submits that the investigation in the said FIR is still pending and the present FIR based upon complaint by Gian Singh Kalra contains the same allegations. It is further pointed out that the dispute between the parties is of civil nature and the suit in respect of the property in question was decided against complainant through decree dated 20.11.2018.

Notice of motion for 16.04.2020.

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 Bhupinder Singh, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions, further states that the petitioner is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 20.11.2019 is made absolute.

June 28, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No