

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

CRM-M No.50489 of 2019

Date of Decision:17.08.2021

Baljit Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Bikramjit Singh Baath Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.0066 dated 23.10.2019 registered under Sections 420/120-B of the Indian Penal Code, Police Station Kahnuwan, District Gurdaspur.

On 23.01.2020, following order was passed:-

“Learned counsel for the petitioner contends that the brother of the petitioner namely Ranjit Singh entered into agreement to sell dated 15.06.2017 in respect of 7 kanals 15 marlas of land with the complainant/vendee. An earnest amount to the tune of Rs.5 lacs was paid and target date was fixed as 10.07.2017. It has been alleged that bilateral

obligation arising out of agreement to sell was not adhered to by the brother of the petitioner. Resultantly, after issuing legal notice by the complainant, a civil suit for specific performance came to be filed which is statedly pending. After acquiring knowledge on 23.04.2019 in respect of selling of land by Ranjit Singh in favour of the petitioner on 10.04.2019, the FIR in question came to be registered. Petitioner and his brother Ranjit Singh have also filed CRM-M No.2551 of 2020 for quashing of FIR on the premise that the entire issue revolves around civil profile.

Notice of motion for 27.03.2020.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 28.01.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that the petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Amrik Singh admits the aforesaid fact and submits that the petitioner is no more required for further custodial interrogation in the case.

In view of aforesaid factual position, the interim order dated 23.01.2020 is made absolute. Petitioner shall keep on

joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

August 17, 2021
rittu

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No