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IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-55560-2019  
Date of decision-16.09.2021

AVTAR SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Naveen Batra, Advocate  
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

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**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.116 dated 11.12.2019, under Sections 420, 406, 465, 467 & 468 Indian Penal Code, 1860, registered at Police Station Anandpur Sahib, District Rupnagar. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 26.12.2019, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Learned counsel for the petitioner contends that the accused-Kamaldev allegedly entered into an agreement to sell with the complainant-Mulk Raj*

*wherein the petitioner was a witness, and not a beneficiary of the said transaction. He submits that the said transaction was made in year 2013 and on the basis of the same, civil suit brought by the complainant is pending. According to him, in the given facts, custodial interrogation of the petitioner may not be necessary.*

*Notice of motion for 07.05.2020.*

*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 Harbans Singh does not dispute this fact that the petitioner has joined the investigation and he 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 26.12.2019 is made absolute.

**(MANOJ BAJAJ)**  
**JUDGE**

**16.09.2021**

*Vipin kumar*

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |