

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

(Sr. No. 203)

CRM-M No.1174 of 2020

Date of decision : 01.02.2022

Avneet Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr. Saurabh Kapoor, Advocate for the petitioner.

Ms. Gunkirat Kaur, AAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The matter has been taken up through video conferencing.

The present petition has been filed under Section 438 Cr.P.C.
for the grant of anticipatory bail in FIR No.0176 dated 28.08.2019
registered under Section 420 IPC and Section 24 of the Emigration Act,
1983 at Police Station Sarabha Nagar, district Ludhiana.

On 14.01.2020, this Court had passed the following order : -

*“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.0176 dated 28.08.2019
registered under Section 420 of the Indian Penal Code,
1860 and Section 24 of the Emigration Act, 1983 at Police
Station Sarabha Nagar, District Ludhiana.*

*Learned Counsel for the petitioner has submitted
that the petitioner was falsely implicated. Complaint was
made by the complainant after expiry of about three years
from the date of alleged incident. The FIR is nothing but*

an abuse of process of law and is a pressure tactics of the complainant to fulfill his illegal desire to grab the property of the petitioner. The petitioner had taken a loan of Rs.1,50,000/- from the complainant which he is ready to pay and the petitioner is also ready to join the investigation.

Notice of motion.

On the asking of the Court, Mr. Arun Kaundal, DAG, Punjab accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to the learned State Counsel, who seeks time to complete his instructions.

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 27.02.2020.

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

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 shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him 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 not be entitled to the protection of interim bail allowed to him.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined the investigation and his custodial interrogation is not required by the State.

In view of the above, the interim order of this Court dated 14.01.2020 granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

01.02.2022

sunil yadav

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No