

**In The High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-2655-2022 (O&M)

Date of Decision:- 27.4.2022

Amit Kumar

.... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Sandeep Sharma, Advocate for
Mr. Veneet Sharma, Advocate, for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab,
assisted by ASI Bodh Raj.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered against him vide FIR No. 174, dated 30.12.2021, Police Station Division No.1, District Pathankot, under Sections 417, 420 IPC.
2. At the time of issuance of notice of motion the following order was passed on 21.1.2022:

“Through Video Conferencing

The learned counsel for the petitioner has submitted that in the present case the allegations against the petitioner are that he had taken some gold from the complainant for the purpose of further processing but neither the same was returned nor the money has been paid. He further submitted that the complainant and petitioner are close relative and

petitioner is brother-in-law of the complainant and at the most the dispute, if any, can be termed as a civil dispute and it has been given a criminal flavour. He further submitted that the petitioner is not involved in any other case and has clean antecedents.

Notice of motion.

Mr. Randhir Singh Thind, DAG, Punjab accepts notice on behalf of State of Punjab and prays for some time to seek instructions.

Adjourned to 27.04.2022.

In the meantime, petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Arresting/Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the conditions as provided under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Bodh Raj has informed that pursuant to interim directions issued on 21.1.2022, the petitioner has since joined investigation. It has however, been submitted that the petitioner has not got any amount or any gold recovered. Learned State counsel has also informed that the petitioner otherwise has a clean record.
4. Having regard to the facts and circumstances of the case and while noticing that the petitioner has already joined investigation and otherwise is having a clean record, the petition is accepted and interim directions issued by this Court vide order dated 21.1.2022 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate

with the Investigating Officer and shall also abide by the conditions
as provided under Section 438 (2) Cr.P.C.

27.4.2022

Mohan

(GURVINDER SINGH GILL)
JUDGE

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No