

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

**CRM-M No.5361 of 2022
Date of Decision :09.05.2022**

Narinder Kumar @ Narinder Singh

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present : Mr.Nand Lal Sammi, Advocate for the petitioner.

Mr. Ajay Pal Singh Gill, DAG, Punjab
assisted by ASI Avtar Singh.
Mr. Aayush Gupta, Advocate for the complainant.

ARUN PALLI, J. (Oral):

Vide this petition under Section 438 of Cr.P.C. the petitioner prays for anticipatory bail in FIR No.247 dated 23.10.2021, under Sections 406, 420, 465, 467, 468, 471 and 120-B of IPC, registered at Police Station Rajpura, District Patiala.

Upon hearing the learned counsel for the petitioner on 09.02.2022, this Court had enlarged the petitioner on interim bail:-

“Case is taken up for hearing through video conferencing.

Through this petition, the petitioner seeks anticipatory bail in case bearing FIR No.247 dated 23.10.2021, registered under Sections 406, 420, 465, 467, 468, 471, 120-B IPC, at Police Station City Rajpura, District Patiala.

Learned counsel for the petitioner submits that the petitioner is neither a beneficiary nor a signatory or the purchaser or the seller; that the alleged money in dispute has only been received by Gurwinder Singh; that even otherwise Gurwinder Singh had appeared before the Sub-Registrar to mark his presence but it was the purchaser, who owing to short of money had not executed the sale deed and that

the dispute in question is civil in nature and has a separate remedy. He further submits that co-accused, namely, Amit Kumar Gupta, Sanjay Kumar and Gurwinder Singh, have already been granted the concession of bail.

Notice of motion.

On the asking of this Court, Ms. Bhavna Gupta, DAG Punjab, accepts notice.

Adjourned to 09.05.2022.

Meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on interim bail to the satisfaction of Investigating Officer/Arresting Officer subject to the conditions as envisaged in Section 438 (2) Cr.P.C.

However, anticipatory bail, granted while exercising the judicial discretion, should not operate as an inroad into the statutory investigational power of the police.”

On instructions from ASI Avtar Singh, learned State counsel submits that pursuant to the order dated 09.02.2022 (ibid), the petitioner had joined the investigation and is no longer required for any custodial interrogation.

In the wake of the above, the order dated 09.02.2022, is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. and shall join the investigation as and when called upon to do so.

The petition is accordingly disposed of.

(ARUN PALLI)
JUDGE

09.05.2022
Manoj Bhutani

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