

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

CRM-M-8449-2021

Date of decision : 19.05.2022

Surinder Pal Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Manoj Kumar, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.295 dated 09.10.2020 under Sections 419, 420, 465, 467, 468, 471 and 120-B Indian Penal Code, 1860 registered at Police Station Division No.5, District Ludhiana, who apprehends his arrest at the hands of Police.

On 22.11.2021, this Court had passed the following order:-

“Learned counsel for the petitioner submits that as per complainant Narender Singh, the land allegedly sold by accused Buta Singh (General Power of Attorney of owner Bakshish Singh) could not have been transferred as the owner had expired long back in the year 1993. He submits that as per complainant, he had a preferential right upon the land in question by virtue of agreement to sell dated 22.1.1982, executed on behalf of Bakshish Singh with complainant's father. According to him, the petitioner was not aware of this fact, and infact the petitioner is a victim who paid the sale consideration by way of cheque in favour of said General Power of Attorney. According to him, the case of the prosecution is founded upon documentary material, therefore, custodial interrogation of the petitioner may not be necessary as the rights of the parties would be adjudicated by the civil Court in the pending civil suit.

Adjourned to 14.3.2022.

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 has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by ASI Lakhwinder Singh states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 22.11.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

19.05.2022

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