

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

**CRM-M-13139 of 2022
Date of Decision:- 06.12.2022**

Gurvinder Singh

....Petitioner

Vs.

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. NPS Mann, Advocate
for the petitioner.

Mr. C.L.Pawar, Addl. AG, Punjab.

Mr. Munish Garg, Advocate for the complainant.

KARAMJIT SINGH, J.

Prayer is for grant for anticipatory bail to the petitioner in case having FIR No.27 dated 27.02.2022 registered under Sections 380, 454 IPC, Police Station Dhanaula, District Barnala.

The counsel for the petitioner submitted that the petitioner was falsely implicated in the present case. The rice sheller in question was purchased by the petitioner in an open auction conducted by PUNGRAIN and thereafter the petitioner took possession of the aforesaid premises in accordance with law and no illegal act was done by the petitioner, who has joined the investigation. The counsel for the petitioner further submitted that

police has already presented the challan after completion of investigation. The counsel for the petitioner further submitted that the petitioner has joined the investigation with police and deposited security worth Rs.5 lakhs in the Court of Illaqa Magistrate concerned in compliance of the order dated 18.04.2022. So prayer is made that the present petition be allowed.

The present petition is contested by the counsel for the complainant who has submitted that the rice sheller in question belongs to the complainant and was illegally demolished by the petitioner.

The State counsel on instructions from ASI Avtar Singh has apprised the Court that the petitioner has joined the investigation and is not required by the police for further investigation as on completion of investigation, the police has already presented the challan against the petitioner.

As per the petitioner, he has already deposited security worth Rs.5 lakhs with the court concerned in light of the order dated 18.04.2022 passed by coordinate Bench of this Court.

In view of the above, as challan has been presented by the police on completion of investigation, no purpose is going to be served by subjecting the petitioner to custodial interrogation at this point of time. Thus, without commenting on the merits of the case, the present petition is allowed and order granting interim bail dated

18.04.2022 to the petitioner is hereby made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Disposed of accordingly, so also the pending miscellaneous application(s), if any.

06.12.2022

P. Chawla

(KARAMJIT SINGH)

JUDGE

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