

206

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

CRM-M-18112-2022

Date of Decision: 15.11.2022

Kuldeep Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. J.S. Dadwal, Advocate,
for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 438 of the Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.0233, dated 12.11.2018, under Sections 420, 465, 467, 468, 471 & 120-B IPC registered at Police Station Sarabha Nagar, District Ludhiana.

Learned counsel for the petitioner has submitted that as per the allegations against the petitioner and the other co-accused, they had made an agreement to sell of some land @ Rs.1.8 crores, and had thereafter, received an amount of Rs.10 lacs each, totalling of Rs.20 lacs and thereafter, it was found that they were not the owners of the land and the sale deed which they have executed was not valid. He further submitted that it is a case where in fact the petitioner himself was cheated by the person from whom he along with the

other co-accused had purchased the land and this fact came to the knowledge of the petitioner afterwards and therefore, the entire amount of Rs.20 lacs was paid back to the complainant through the bank transaction by both the persons i.e. petitioner and the other co-accused, namely, Gurdeep Singh. He also submitted that the aforesaid co-accused, namely, Gurdeep Singh has already been granted interim anticipatory bail by this Court in CRM-M-33640-2021 and the same has also been confirmed. He further submitted that the petitioner was granted interim anticipatory bail by this Court vide order dated 12.05.2022 and in pursuance of the aforesaid order, the petitioner has joined the investigation and has fully co-operated with the investigation process and has prayed that the aforesaid order dated 12.05.2022 may be made absolute.

Mr. Amit Rana, learned Senior Deputy Advocate General, Punjab, has stated on instructions from A.S.I. Bhupinder Singh, that in pursuance of the order passed by this Court on 12.05.2022, the petitioner has joined investigation and he has fully cooperated with the investigation process. He further submitted that he has a specific instructions to say that the petitioner is not required for custodial interrogation.

I have heard the learned counsel for the parties.

The dispute appears to be of an amount of Rs.20 lacs, which according to the learned counsel for the petitioner has already been returned to the complainant. The petitioner has already joined the investigation in view of the statement made by the learned State counsel and as per his instructions, the petitioner is not required for custodial investigation

In view of the aforesaid facts and circumstances, the present petition is allowed and the order dated 12.05.2022, whereby the petitioner was

directed to join the investigation, is hereby made absolute.

15.11.2022

(JASGURPREET SINGH PURI)
JUDGE

Bhumika

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No