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

CRM-M-18691-2022
Date of decision:04.05.2022

GURJINDERJIT SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Jagdeep Singh Chahal, Advocate
for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab

Mr. Manoj Kumar, Advocate
for complainant.

SURESHWAR THAKUR, J. (ORAL)

1. The petitioner, by filing the present petition, cast under Section 438 of Cr.P.C., seeks grant of anticipatory bail in case FIR No.43 of 14.03.2022, registered at Police Station Sadar Ludhiana, District Police Commissionerate Ludhiana, wherein offences constituted, under Sections 420, 465, 467, 468, 471, 120-B of IPC, are embodied.

2. The learned State counsel, on instructions meted to him by the investigating officer concerned submits, that since the principal offender one, Gurmandeep Kaur, who allegedly received the earnest money comprised in a sum of Rs.10 lacs, has been admitted to anticipatory bail through a decision made, on 26.04.2022, upon CRM-M-17155-2022, thereupon he contends, that since the only incriminatory role, as is assigned to the present petitioner, is, of his conspiring with his above spouse, Gurmandeep Kaur, therefore, he further submits, that he has instructions that hence the bail petitioner be admitted to anticipatory bail.

3. The afore made submission is not contested by the learned counsel appearing for the victim-complainant. Significantly also since directions as pronounced upon CRM-M-17155-2022, regulate the admitting to anticipatory bail, only the above Gurmandeep Kaur, and, may not become made a condition precedent, rather for admitting to anticipatory bail, even the present bail petitioner, who rather did not receive any money(ies) from the aggrieved-victim. As a sequel and, also when no evidence becomes placed on record by the prosecution, suggestive that in the event of the bail petitioner being enlarged on anticipatory bail, there is every likelihood of his fleeing from justice, and/or, tampering with prosecution evidence. As a corollary, this Court, is constrained to admit the present bail petitioner to anticipatory bail.

4. Consequently, the petition is allowed, and, in the event of the investigating officer concerned, proceeding to arrest the present bail petitioner, the investigating officer may not arrest the bail petitioner, however, subject to his furnishing personal, and, surety bonds in the sum of Rs.50,000/- each, to the satisfaction of the arresting officer, and, also subject to his rendering co-operation to him, in the investigations to be carried into offences mentioned in the present FIR. In addition, he shall not tamper with prosecution evidence nor shall influence the prosecution witnesses.

5. Dasti copy.

(SURESHWAR THAKUR)
JUDGE

04.05.2022

Ithlesh

Whether speaking/reasoned:-
ITHLESH KUMAR Whether reportable:-
2022.05.05 16:42
I attest to the accuracy and
authenticity of this order

Yes/No
Yes/No