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

CRM-M-19470-2022

Date of decision : 24.08.2022

Harbans Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Varshit Garg, Advocate for
Mr. Aayush Gupta, Advocate for the petitioner.

Mr. M.S. Bajwa, DAG, Punjab.

Mr. Saurabh Arora, Advocate for the complainant.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.81 dated 09.04.2022 registered under Sections 406, 420, 120-B of the Indian Penal Code, 1860 at Police Station Jamalpur, District Police Commissionerate, Ludhiana.

On 16.05.2022, a Coordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel for the petitioner states that petitioner is 82 years old. The complainant had business transactions with his son. The agreement to sell was entered into between the wife of the petitioner and the brother of the complainant. The petitioner is only a witness to the same.

Notice of motion.

Mr. B. S. Sewak, Addl. A.G., Punjab and Sh. Saurabh Arora, Advocate, accept notice on behalf of respondent/State and the complainant, respectively. They seek some time to have instructions.

List on 23.05.2022.

Till the next date of hearing, arrest of the petitioner shall remain stayed.

To be shown in the urgent list.

Sd/- (HARINDER SINGH SIDHU)

JUDGE

16.05.2022 ”

Thereafter, on 02.08.2022, this Court had passed the following order:-

“Learned counsel for the petitioner has submitted that the matter has been compromised.

Learned counsel for the complainant seeks time to get instructions regarding the same.

Adjourned to 24.08.2022.

In the meantime, in the event of arrest, the petitioner is ordered to be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting / Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C. ”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid order dated 02.08.2022, the petitioner has joined the investigation.

Learned counsel for the State has submitted that the petitioner

has joined the investigation and is not required for any further custodial interrogation.

Learned counsel for the petitioner as well as complainant have jointly submitted that the matter has been compromised.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 16.05.2022 and 02.08.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation and also the fact that the matter has been compromised, the present petition is allowed and the interim order dated 02.08.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

24.08.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:-

Yes/No

Whether reportable:-

Yes/No