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

**CRM-M-19416-2022 (O&M)
Date of Decision: 07.05.2022**

Major Singh Choong

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. S.K. Garg Narwana, Senior Advocate assisted by
Mr. Vishal Garg Narwana, Advocate and
Mr. Nitin Sachdeva, Advocate,
for the petitioner.

Mr. Neeraj Yadav, Advocate,
for the complainant.

JASGURPREET SINGH PURI, J. (ORAL)

The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case bearing FIR No.78 dated 13.11.2021, under Sections 406 & 420 of the IPC (Sections 465, 467, 468, 471 & 120-B of the IPC were added later on), registered at Police Station City Raikot, District Ludhiana Rural.

Learned Senior Counsel for the petitioner has submitted that it is a case where the allegations against the petitioner were that the wife of the petitioner had committed a fraud and forged some agreement. Learned senior counsel further submitted that be that as it may on the face of it, it was a civil dispute, if any, between the parties which has given a criminal colour. He also submitted that after a lapse of number of years the present FIR has now been

lodged.

At this stage, Mr. Davinder Bir Singh, learned Deputy Advocate General, Punjab has submitted, on instructions from A.S.I. Harpreet Singh that in the present case, the petitioner has not been nominated as an accused in the FIR and *qua* him the investigation is still pending and therefore, the present petition for grant of anticipatory bail is not maintainable.

Mr. S.K. Garg Narwana, learned senior counsel for the petitioner has stated that in that situation, he prays that in case the petitioner is nominated at any stage then he may be given seven days' advance written notice in case any arrest is to be made.

Mr. Davinder Bir Singh, learned Deputy Advocate General, Punjab, on instructions from A.S.I. Harpreet Singh, has submitted that he has no objection in case the petitioner is nominated and is sought to be arrested then seven days' advance written notice shall be given to him.

In view of the above, the present petition is disposed of with a direction that in case the petitioner is nominated and is sought to be arrested then seven days' advance written notice be given to the petitioner.

07.05.2022

Bhumika

(JASGURPREET SINGH PURI)
JUDGE

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