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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-36269-2021 (O&M)

Date of Decision: 19.01.2022

Jagmeet Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Jagjit Singh Gill, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

Mr. Amandeep Singh Manaise, Advocate
for the complainant.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.87 dated 14.05.2021 under Sections 420, 406 and 506 IPC, registered at Police Station Kotwali Bathinda, District Bathinda. The petitioner apprehended his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 03.09.2021 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the petitioner had admittedly purchased the pesticides worth Rs.1.81 crores from complainant and after receipt of the material, a sum of Rs.55.70 crore was paid to the seller. According to him, for the rest of the due amount, the petitioner had issued the cheques in favour of the complainant, however, the same were dishonoured. Learned counsel fairly states that he owes the amount as claimed by the complainant, but he suffered loss because of fire in his godown, so the payment is delayed.

Notice of motion.

At this stage, Mr. Amandeep Singh Manaise, Advocate

appears on behalf of the complainant and does not dispute the above factual aspect and states that the complainant is also ready to settle the dispute.

Adjourned to 19.01.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Gurpreet Singh, does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 03.09.2021 is made absolute.

Since the main petition has been allowed, therefore, the application (CRM-1383-2022) seeking vacation of stay of arrest/interim bail granted to the petitioner vide order dated 03.09.2021 is rendered infructuous.

Dismissed as infructuous.

19.01.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes No
Yes No