

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

207

CRM-M-37051-2021

Date of Decision: 14.02.2022.

Sukhwinder Singh

....Petitioner.

Versus

State of Punjab

...Respondent.

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. P.S. Ahluwalia, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

Petitioner has approached this Court under Section 438 Cr.P.C. to seek anticipatory bail in case FIR No.165 dated 30.07.2021 under Sections 406, 420, 467, 468, 471 and 120-B IPC, registered at Police Station City Rajpura, District Patiala, who apprehends his arrest at the hands of the police.

On 08.09.2021, this Court had passed the following order:-

“Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Prayer in the petition under Section(s) 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.165 dated 30.07.2021 registered under Sections 406,420,467,468,471 and 120-B IPC, 1860 at Police Station City Rajpura, District Patiala.

Learned counsel contends that the petitioner has been implicated in a false case since he was merely an attesting witness to the mortgage deed in respect of loan of Rs.18,00,000/- availed by co-accused Lakhwinder Kaur from the State Bank of India, Rajpura on 10.09.2013 and that apart from the petitioner having signed as a witness on the aforesaid mortgage deed, the petitioner has got no connection whatsoever with the fraud played by co-accused Lakhwinder Kaur.

Notice of motion.

Mr. Sukhbeer Singh, Asstt. A.G., Punjab accepts notice on behalf of the respondent and on instructions from ASI Rakesh Kumar confirms that apart from the petitioner being an attesting witness to the mortgage deed qua loan of Rs.18,00,000/- availed by co-accused Lakhwinder Kaur on 10.09.2013, there is no material to connect the petitioner with the commission of the offence. He, however, requests for an adjournment to file reply.

Adjourned to 28.10.2021.

In the meantime, the petitioner is directed to join investigation and fully cooperate with the police. However, in the event of arrest, the petitioner be released on ad-interim pre-arrest bail, subject to his furnishing bail/surety bonds to the satisfaction of the Arresting / Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which, the interim protection granted to the petitioner, shall stand vacated.”

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and co-operated during interrogation.

Learned State counsel, who is instructed by ASI Jaswinder Singh states that indeed 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 08.09.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

14.02.2022.
komal

Whether speaking/reasoned?	:	Yes/ No
Whether reportable?	:	Yes/ No