

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

CRM-M-34426-2020 (O&M)

Date of decision: 28.07.2022

Indermohan Singh and another

... Petitioners

Versus

State of Punjab and others

... Respondents

**CORAM: HON'BLE MR. JUSTICE RAVI SHANKER JHA,
CHIEF JUSTICE
HON'BLE MR. JUSTICE ARUN PALLI**

Present: Mr. R.S. Cheema, Senior Advocate – Amicus Curiae,
with Ms. Tanu Bedi, Advocate.

Mr. H.S. Grewal, Addl. AG, Punjab.

Mr. Deepak Sabherwal, Addl. AG, Haryana.

Mr. Akashdeep Singh, Addl. PP, UT, Chandigarh.

RAVI SHANKER JHA, C.J. (Oral)

In the present case an application seeking anticipatory bail to the petitioners had been filed before this Court, which was allowed by the learned Single Judge on 04.11.2020. While passing the order, learned Single Judge observed that the case initiated against the applicants/petitioners was mainly in respect of a civil dispute for which the police was taking cognizance and, therefore, asked the States and its higher authorities to examine the matter. Subsequently, vide order dated 18.03.2021, Mr. R.S. Cheema, learned Senior Advocate, was also appointed as *Amicus Curiae*, to assist this Court. The learned *Amicus Curiae* along with Mr. Prabodh Kumar, IPS, Special DGP Provisioning, Punjab, has submitted a brief note before this Court, which is placed on record as Mark 'X'.

A Standard Operating Procedure (SOP) in respect of such economic offences that has been framed by the State of Haryana on 27.12.2021, has also been placed before this Court, which is taken on record as Mark 'Y'.

We have gone through the note prepared by learned *Amicus Curiae* as well as Mr. Prabodh Kumar, IPS. In the circumstances, we do not propose to retain this matter any further as a decision in this regard, if so advised, is required to be taken by the respective States, i.e. State of Punjab, State of Haryana and Union Territory of Chandigarh, and, therefore, the petition is disposed of directing the said authorities to look into the matter and if so required or advised or so permissible in law take up the issue and SOP as has been done by the State of Haryana to ensure that the provisions of Indian Penal Code and Criminal Procedure Code are not abused or misused.

But before we part with the matter, we must place on record our deep appreciation for the able assistance that has been rendered by learned Senior Advocate Mr. R.S. Cheema, assisted by Ms. Tanu Bedi, Advocate.

(Ravi Shanker Jha)
Chief Justice

(Arun Palli)
Judge

28.07.2022
Rajan

Whether speaking / reasoned:	YES
Whether Reportable:	NO