

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

207/1

CRM-M-41823-2021

Date of Decision: 14.02.2022.

Harwinder 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 08.10.2021, this Court had passed the following order:-

“Prayer in the petition under Section 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, at Police Station, City Rajpura, District Patiala.

Learned counsel contends that the petitioner has been falsely implicated in the instant case as he merely identified Lakhwinder Kaur in the office of the Sub-Registrar, Fatehgarh Sahib at the time of execution of the mortgage deed in respect of loan of Rs.18 Lakh availed by her from State Bank of India, Rajpura on 10.09.2013 and that apart from the aforesaid identification of Lakhwinder Kaur, the petitioner has got no connection whatsoever with the fraud played by said co-accused.

Notice of motion.

Mr. Joginder Pal Ratra, DAG, Punjab, accepts notice on behalf of the State and on instructions from ASI, Swaran Singh, confirms that apart from the petitioner being an attesting witness to the mortgage deed qua loan of Rs.18 Lakh availed by co-accused, Lakhwinder Kaur, on 10.09.2013, there is no material to connect the petitioner with the commission of the offence.

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.

List for hearing along with CRM-M-37051-2021.”

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 08.10.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

14.02.2022.

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