

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(203)

CRM-M-44459-2021

Date of decision: - 10.01.2022

Swaranjit Singh alias Doctor Swaran Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Rajan Singh Dadwal, Advocate, for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.141 dated 24.09.2021, under Sections 420, 406, 467, 468, 294, 506 and 120-B IPC, registered at Police Station Sadar Jagraon, District Ludhiana Rural.

On 25.10.2021, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that the alleged incident is of the year 2015 and even as per the allegations made in the FIR, it is not the petitioner who had fraudulently induced the complainant and only allegation made against the petitioner is that at the asking of the co-accused, an amount of Rs.2,00,000/- was given to the petitioner. It is further submitted by the learned counsel for the petitioner that as per the compromise dated 06.04.2019 (Annexure P-2), the entire amount is to be returned by the co-accused-Rajwinder Singh @ Maan @ Leela and there is no reference of Rs.2,00,000/- having been handed over to the petitioner in the same.

Notice of motion.

On asking of the Court, Mr. A.K. Kaundal, DAG, Punjab, appears and accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 10.01.2022.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner as well as learned State counsel, on instructions from ASI Gurmail Singh, have submitted that in pursuance of the above order, the petitioner has joined the investigation on 30.11.2021 and is not required for further investigation.

Keeping in view the above-said facts and circumstances moreso, the facts which have been noticed in the order dated 25.10.2021 and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition for grant of anticipatory bail to the petitioner is allowed and the interim order dated 25.10.2021 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

January 10, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No