

207

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-45577-2021 (O&M)
Date of Decision:28.02.2022

Shri Chand

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. L.S. Lakhanpal, Advocate for the petitioner.

Mr. Tanvir Joshi, AAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.259 dated 25.11.2020 under Sections 420/465/467/468/471/120-B IPC Indian Penal Code, 1860 registered at Police Station City Kotkapura, District Faridkot who apprehends his arrest at the hands of Police.

On 01.11.2021, this Court had passed the following order:-

“Learned counsel contends that the allegations in the FIR levelled by nephew of the petitioner are regarding inheritance of membership in the society, namely, Schedule Caste and Land Owning Society Kotkapura, by the petitioner upon demise of his father, namely, Gheesa Ram. He further submits that the said transfer of membership carried out in the year 2016 is based upon the nomination by the original member, therefore, the complainant and other relatives had no right of inheritance particularly, when they are not residents of District Bathinda and do not fulfil the conditions. According to him, the FIR is lodged after a long time and the dispute, if any, is purely of civil nature. Further reliance is placed upon the order dated 14.09.2021 (Annexure P-2) passed in respect of coaccused, who has already been granted the concession of pre-arrest bail.

Notice of motion for 28.02.2022.

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 has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by ASI Iqbal 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 01.11.2021 is made absolute.

28.02.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No