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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.53940 of 2021 (O&M)
Decided on: 17.03.2022

Dharam Paul

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Aayush Gupta, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Sourabh Goel, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR
No.0150 dated 05.12.2021 under Sections 406 & 420 IPC, registered at
Police Station Division 1, District Police Commissionerate, Ludhiana.

The operative part of the order dated 22.12.2021, vide
which interim anticipatory bail has been granted to the petitioner, is
reproduced as under:-

*“....Learned counsel for the petitioner submits that
as per allegations in the FIR, registered at the instance of
complainant Ankita Goyal, her father and the petitioner
were having a partnership firm M/s Nand Lal and Sons,
Gur Mandi, Ludhiana, which came to an end on
31.03.1992 and her father died on 15.09.1992. It is further
stated in the FIR that the petitioner was managing the
property in dispute, which was sold by him vide sale deed
dated 25.04.2007. It is further submitted that for a period
of about 14 years, nothing happened and now the*

complainant firstly filed a civil suit praying for a decree of declaration with regard to rendition of accounts of aforesaid partnership firm including profits, assets, rents etc., share in the property, as explained in the suit as well as for a decree of declaration that the sale deed executed by the petitioner in the year 2007 is liable to be set aside.

Learned counsel further submits that after filing of the civil suit, present FIR has been registered just to give it a colour of criminal litigation. It is also submitted that the petitioner is aged about 78 years and the complainant is his niece. It is next submitted that the petitioner was granted protection by the Court of Sessions, pursuant to which, he has joined the investigation and it was not the case that the petitioner has not joined or cooperated in the investigation, however, later on, the anticipatory bail application was dismissed.

Notice of motion....”

Counsel for the petitioner has submitted that, in pursuance to the order dated 22.12.2021, the petitioner has appeared before the Investigating Officer and has joined the investigation.

Counsel for the State assisted by counsel for the complainant and on instructions from ASI Jitender Singh, has not disputed the aforesaid fact and submits that the petitioner is no more required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 22.12.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

(ARVIND SINGH SANGWAN)
JUDGE

17.03.2022
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Whether speaking/reasoned

Yes/No

Whether reportable:

Yes/No