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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-47161-2019 (O&M)
Date of Decision:28.03.2022

Ravi @ Ravi Kumar

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amardeep Singh, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab

None for the complainant.

...

Manoj Bajaj, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in a case FIR No.0223 dated 25.09.2019 registered under Sections 420, 465, 467, 468, 471 and 120-B IPC at Police Station Beas, District Amritsar, who apprehends his arrest at the hands of Police.

On 16.03.2022, this Court had passed the following order:

“Learned counsel for the petitioner has argued that as per allegations, complainant had paid the alleged amount to Kali Ram upon his promise to provide job for his children namely Sikander Pal, Harmandeep Kaur and Ravinder Kaur and petitioner has been falsely implicated being son of Kali Ram. He has argued that the other co-accused including Kali Ram have already been released on anticipatory bail, therefore, the petitioner also deserves the same concession, who has joined the investigation on number of occasions.

The prayer is opposed by learned State counsel assisted by ASI Balkar Singh, who has argued that indeed the petitioner has joined the investigation but he is not cooperating. He has referred to the various orders passed by this Court wherein the stand of the State counsel regarding noncooperation of the petitioner is noticed and on every

occasion, the case was adjourned by directing the petitioner to again join the investigation.

He has drawn the attention of the Court to the contents of Para 6 of the affidavit of Harkishan Singh, PPS Deputy Superintendent of Police, Sub Division Baba Bakala Sahib, Amritsar dated 09.11.2021 and submitted that like complainant, 13 other persons were also caused wrongful loss. However, he is unable to reveal the nature of allegations against the petitioner and details of the payment as their statements recorded under Section 161 Cr.P.C. are not with him. Similarly, he is unaware of the enquiry being conducted upon an application given by two more victims namely Shiv Singh son of Pyara Singh and Amandeep Kaur wife of Kulwinder Singh.

Learned State counsel prays for time to seek necessary instructions.

Adjourned to 28.03.2022.

Interim order to continue. ”

Learned State counsel, on instructions from ASI Balkar Singh,

has stated that indeed the money was parted away by the victims in favour of the father of the petitioner and even as per the statements of the victims, the money was not paid to the petitioner. He further submits that the complaints by Shiv Singh son of Pyara Singh and Amandeep Kaur wife of Kulwinder Singh also do not contain any allegation regarding payment to the petitioner. He states that 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 05.11.2019 is made absolute.

28.03.2022

Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned

Yes No

Whether reportable

Yes No