

2023:PHHC:056763

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

**201**

**CRM-M-3923-2023**

**Date of decision: 21.04.2023**

**BHUSHAN KUMAR**

**...Petitioner**

**VERSUS**

**STATE OF PUNJAB AND ANOTHER**

**...Respondents**

**CORAM : HON'BLE MR. JUSTICE GURBIR SINGH**

Present: Mr. Ashish Aggarwal, Sr. Advocate with  
Ms. Nidhi, Advocate  
for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

\*\*\*\*

**GURBIR SINGH, J. (ORAL)**

The prayer in the present petition filed under Section 438 Cr.P.C is for grant of anticipatory bail to the petitioner in case FIR No.295 dated 22.12.2022 under Sections 420, 120-B of IPC, 1860, registered at Police Station Canal Colony, District Bathinda.

On 25.01.2023, the following order was passed:-

*“The prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.295, dated 22.12.2022, under Sections 420, 120-B IPC, 1860, registered at Police Station Canal Colony, District Bathinda.*

*Learned counsel for the petitioner submits that wife of the petitioner, namely, Renu Bala had entered into an agreement to sell dated 06.08.2019. It was basically a security document for returning the loan amount and the entire loan amount has been paid. Civil Suit was filed on 10.06.2022 inter alia for cancellation of the said agreement. The complainant-respondent No.2 had appeared in the*

*Court, thereafter, the said FIR got lodged. In all the FIRs which are registered at the instance of the associates of the complainant, against the petitioner, he is on bail. The petitioner only gave consent in the agreement in question in fact Renu Bala has executed an agreement and entire amount was transferred in her account. She has already been granted the concession of interim bail by this Court in CRM-M-3111 of 2023.*

*Notice of motion for 21.04.2023.*

*At the asking of the Court, Mr. Jaiteshwar S. Bhandari, AAG, Punjab, appears and accepts notice on behalf of respondent No.1-State. A copy of the paper book be supplied to him during the course of the day. He seeks some time to file status report.*

*Service upon respondent No.2 be effected for the date fixed.*

*Status report be filed on or before the next date of hearing with advance copy to the counsel opposite.*

*Meanwhile, in the eventuality of arrest of the petitioner in the instant case, he shall be enlarged on interim bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/Arresting Officer. The petitioner shall join the investigation as and when called upon to do so by the Investigating Agency. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.”*

Learned State counsel, on instructions from ASI Iqbal Singh/1819, submits that in compliance of the order dated 25.01.2023 the petitioner has already joined the investigation and he is not required for any custodial interrogation.

In view of above, the order dated 25.01.2023 granting interim bail to

CRM-M-3923-2023

-3-

laid down under Section 438(2) Cr.P.C. in letter and spirit.

Petition is disposed of accordingly.

(GURBIR SINGH)  
JUDGE

21.04.2023  
*kusum*

|                            |        |
|----------------------------|--------|
| Whether reasoned/speaking? | Yes/No |
| Whether reportable?        | Yes/No |