

IN THE HIGH COURT OF PUNJAB & HARYANA  
AT CHANDIGARH

(Sr. No.204)

CRM-M No. 8712 of 2023

Date of decision : 02.05.2023

Ajay Pal

.....Petitioner

*Versus*

State of Punjab

.....Respondent

**CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL**

Present : Mr. Rakesh Dhiman, Advocate for the petitioner.

Mr. Arun Luthra, DAG, Punjab.

Mr. Sukhvir Singh Tiwana, Advocate for the complainant.

\* \* \*

**DEEPAK SIBAL, J. (Oral)**

(1) The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No. 498 dated 22.12.2022 registered under Sections 406 and 420 IPC at Police Station Zirakpur, District SAS Nagar.

(2) On 17.02.2023, this Court had passed the following order : -

*“Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in the present case only to arm-twist him; the petitioner does not have any other criminal antecedents; the dispute raised in the complaint is civil in nature but has wrongly been given a criminal colour by the complainant to pressurise the petitioner; there is an unexplained delay of over six years in lodging of the FIR and that the petitioner is ready and willing to join and cooperate with the investigation.*

*Notice of motion.*

*Mr.Arun Luthra, DAG, Punjab, accepts notice on behalf of the respondent and prays for time to argue the matter.*

*Adjourned to 02.05.2023.*

*In the meanwhile, subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of his arrest in FIR No.498 dated 22.12.2022 registered under Sections 406 and 420 IPC at Police Station Zirakpur, District SAS Nagar, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.*

*Before the adjourned date, the State shall file a status report after consideration of which further orders in the present petition shall be passed.”*

(3) Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and cooperated with the investigation and that his custodial interrogation is not required by the State.

(4) After considering the submissions made on behalf of the petitioner as have been recorded in the afore-quoted order and the statement made on behalf of the State, subject to the petitioner abiding by the conditions provided under Section 438 (2) Cr.P.C., the order of this Court dated 17.02.2023, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

**02.05.2023**

*sunil yadav*

**( DEEPAK SIBAL )**  
**JUDGE**

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No