

203

Neutral Citation No.2023:PHHC:162655

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-11340 of 2020 (O&M)

Date of decision : 18.12.2023

...

Chamkaur Singh

.....Petitioner

vs.

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Pratham Sethi, Advocate for the petitioner.

Mr. Mohit Kapoor, Additional Advocate General,
Punjab, for the respondent-State.

Mr. D.S. Malwai, Advocate for respondent No.2

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MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No. 14 dated 11.2.2020 under Sections 420, 467, 468, 471, 120-B of the Indian Penal Code, 1860, registered at Police Station Tapa Mandi, District Barnala.

2. Learned counsel for the petitioner inter alia contends that he has been falsely implicated in the instant case for allegedly forging a cheque, purported to have been signed by the complainant. While drawing the attention of this Court to the complaint (Annexure P-2), it has been submitted that it was a matter of record that prior to the

registration of the instant FIR, the petitioner had filed a complaint under Section 138 of the Negotiable Instruments Act, qua the dishonour of the same cheque; thus the FIR in question was a counter blast to the aforementioned complaint.

3. Learned counsel further submits that in compliance of order dated 11.10.2023, the petitioner has joined the investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Gurmail Singh, does not dispute the factum of the petitioner having joined the investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 11.10.2023, is made absolute subject to the conditions laid down in Section 438 (2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

18.12.2023
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Whether speaking / reasoned Yes / No

Whether reportable Yes / No