

**IN THE HIGH COURT OF PUNJAB & HARYANA AT  
CHANDIGARH.**

**CRM-M-19167-2022**

**Date of Decision:-12.09.2023**

**Sikanderpal Singh & Anr.**

.....Petitioners.

Versus

**State of Punjab.**

.....Respondent.

**CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI**

Present:- Mr. Sant Pal Singh Sidhu, Advocate for the Petitioner.

Mr. Harkanwar Jeet Singh, AAG Punjab.

Mr. KBS Mann, Advocate for the Complainant.

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**JASJIT SINGH BEDI, J. (ORAL)**

The prayer in this petition under Section 482 Cr.PC is for quashing the impugned order dated 30.04.2022 (Annexure P-7) passed by Additional Sessions Judge, Sri Muktsar Sahib vide which the anticipatory bail granted to the petitioner no.1 vide order dated 24.09.2018 (Annexure P-4) and anticipatory bail granted to the petitioner no.2 vide order dated 01.10.2018 (Annexure P-5) have been set aside in case FIR No.90 dated 14.09.2018 under Sections 409, 120-B IPC registered at P.S. Sadar Malout, District Sri Muktsar Sahib.

2. The brief facts of the case are that the petitioners who were accused in the aforementioned FIR were granted the concession of anticipatory bail vide orders dated 24.09.2018 and 01.10.2018. The SHO P.S. Sadar Malout moved an application for cancellation of the bails stating

that when the petitioners had joined the investigation they had produced certain documents namely Utilization Certificates which were not found to be genuine and, therefore, the anticipatory bail granted to the petitioners ought to be cancelled. In furtherance of the said application dated 30.01.2022, the impugned order dated 30.04.2022 (Annexure P-7) cancelling the bail granted to the petitioners was passed.

3. The Counsel for the petitioner contends that the petitioners had initially joined investigation and during the course of the said proceedings Utilization Certificates had been provided to the police which as per him were genuine. Thereafter their anticipatory bails had been confirmed. Be that as it may he contends that pursuant to the filing of the instant petition, the petitioners had joined investigation once again in furtherance of the order dated 05.07.2022. As the petitioners have already joined the investigation again and the challan stands presented on 01.02.2023 after which the petitioners were regularly appearing before the Trial Court, no useful purpose would be served by sending the petitioners back to custody in furtherance of the impugned order.

4. The Counsel for the State and the Counsel for the complainant on the other hand contend that the petitioners obtained anticipatory bail on the basis of forged documents and therefore they were not entitled to the concession which was given to them and the impugned order was not to be interfered with. They however concede that pursuant to the order passed by this Court the petitioners have joined investigation again, the report under Section 173(2) Cr.PC stands submitted and the petitioners thereafter are regularly appearing before the Trial Court.

5. I have heard learned Counsel for the parties.

6. Admittedly, after the passing of the impugned order the

petitioners have joined investigation once again in pursuance of the orders of this Court. The investigation stands completed and the challan stands presented after which the petitioners are regularly appearing before the Trial Court. In this view of the matter no useful purpose would be served by cancelling the bail granted to the petitioners way back in September 2018 and sending them back into custody.

7. In view of the above discussion, I find considerable merit in the present petition and, therefore, the order dated 30.04.2022 (Annexure P-7) passed by Additional Sessions Judge, Sri Muktsar Sahib is hereby quashed.

( JASJIT SINGH BEDI )  
JUDGE

September 12, 2023  
Vinay

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