

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-34471-2023 (O&M)

Date of decision: 01.12.2023

Lakhbir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Ramandeep, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG Punjab.

Mr. G.S. Thind, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0053 dated 17.05.2023 under Sections 420, 406 and 120-B of the IPC registered at Police Station Sadar Patiala, District Patiala.

2. On 01.09.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Inter alia contends that no doubt the petitioner was declared a proclaimed person in a complaint filed under Section 138 of the Negotiable Instruments Act but thereafter he had appeared before the Court and submitted his bail bonds. He further submits that a perusal of the allegations levelled in the FIR (Annexure P-1) clearly reveals that the dispute, if any, between the parties is essentially of civil nature pertaining to an agreement to sell, which was now being given a criminal colour.”

3. Learned counsel for the petitioner submits that in compliance of order dated 01.09.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Lakhwinder Singh, does not dispute the factum of the petitioner having joined 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 01.09.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

01.12.2023

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(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No