

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

**CRM-M-40877-2022
Date of Decision: 09.01.2023**

Karanbir Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present: Mr. Deep Singh, Advocate for
Mr. Vikas Gupta, Advocate
for the petitioner.

Mr. Vinay K.Gupta, AAG, Punjab.

HARSH BUNGER J. (ORAL)

The present petition under Section 438 Cr.P.C. has been filed for grant of anticipatory bail to the petitioner in case FIR No.132 dated 21.06.2022 (Annexure P-1), under Sections 120-B and 420 IPC, registered at Police Station City Tarn Taran, District Tarn Taran.

On 08.09.2022, the following order was passed by this Court :-

“The petitioner herein seeks the relief of anticipatory bail in the criminal case arisen out of the FIR bearing No.132 dated 21.06.2022 registered at Police Station City Tarn Taran, District Tarn Taran, under Sections 420 & 120-B IPC. Learned counsel for the petitioner, inter-alia, contends that the petitioner had sold the house in question to Kanwaljit Kaur vide

sale-deed dated 03.06.2016 (Annexure P-3), in pursuance of the agreement Annexure P-2 as executed between the petitioner and her (vendee's) husband and the factum of the bank loan having been raised against the said house finds specific mention therein but said Kanwaljit Kaur sold the house to informant Mohinderpal Singh while concealing the factum of the said loan and thus, the petitioner had no role to play in the alleged crime and moreover, the petitioner is not involved in any other criminal case of the similar nature and is also ready to join in the investigation as and when so required.

Notice of motion.

Mr. Arun Gupta, learned Assistant Advocate General, Punjab, who has appeared in this case in pursuance of the copy of the instant petition having been sent to the respondent-State in advance, accepts the notice and he seeks some time to get proper and complete instructions in the present matter from the quarter concerned and if deemed necessary, then to file the status-report also.

Adjourned to 09.01.2023.

At this stage, Mr. Narinder S. Lucky, Advocate, has also put in appearance on behalf of the complainant in this case and has submitted his Memorandum of Appearance in the Court and the same has been placed on the file.

Power of Attorney on behalf of the complainant be filed on or before the date fixed.

Meanwhile, in the event of his arrest, the petitioner shall be released on interim bail subject to his furnishing the requisite personal as well as surety bonds to the satisfaction of the Arresting/Investigating Officer.

However, the petitioner shall join in the

investigation as and when required/called upon to do so and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that pursuant to the aforesaid order, petitioner has joined the investigation.

Learned State counsel, on instructions from A.S.I. Sakatter Singh, has not disputed the aforesaid fact of joining the investigation by petitioner and submits that his custodial interrogation is not required at this stage.

Heard learned counsel for the parties.

Since the petitioner has joined the investigation and his custodial interrogation is not required at this stage, the present petition is allowed and the *ad-interim* order dated 08.09.2022, passed by this Court, is made absolute.

However, the petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) Cr.P.C.

09.01.2023
Apurva

(HARSH BUNGER)
JUDGE

1. Whether speaking/reasoned : Yes/No
2. Whether reportable : Yes/No