

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.201

CRM-M-50269-2021

Date of decision : 18.08.2023

Ashwani Kumar @ Ashwani Gupta

..... Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr.B.S.Mittal, Advocate, for the petitioner.

Mr.R.S.Pandher, Sr.DAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

1. Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.165 dated 25.07.2017 registered under Sections 420 and 120-B IPC at Police Station City, Faridkot, District Faridkot.

2. On 02.12.2021 this Court had passed the following order:-

“Learned counsel for the petitioner inter-alia contends that the petitioner has been falsely implicated in this case as the complainant has a grievance with Nature Heights Infra Limited Company with regard to allotment of a plot to him of which company the petitioner was the agent; no part of the alleged amount paid by the complainant has been entrusted to the petitioner; the entire alleged amount has been transferred into the company's account; no other criminal case is pending against the petitioner and that the petitioner is also ready and willing to join investigation as and when called by the investigating agency.

Notice of motion.

Ms.Gunkirat Kaur, AAG Punjab, accepts notice on behalf of the respondent-State.

For arguments, adjourned to 30.03.2022.

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.165, dated 25.07.2017, registered under Sections 420, 120-B IPC at Police Station City Faridkot, District Faridkot, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

3. Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that the State no longer requires the petitioner for investigation purposes.

4. In the light of the submissions made on behalf of the petitioner as have been recorded in the afore quoted order as also the statement made on behalf of the State, subject to the petitioner's abiding by the conditions prescribed under Section 438(2) Cr.P.C the order of this Court dated 02.12.2021, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

18.08.2023
shamsher

[DEEPAK SIBAL]
JUDGE

Whether speaking/reasoned : Yes / No

Whether reportable : Yes / No