

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-52678-2023

Date of decision:-07.12.2023

Sukhchain Singh

... Petitioner

Vs.

State of Punjab

... Respondents

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA.

Present:- Mr. Chanchal K. Singla, Advocate for the petitioner.

Mr. P.S. Pandher, AAG, Punjab.

DEEPAK GUPTA J. (ORAL).

1. Status report by way of an affidavit of Deputy Superintendent of Police, Kharar-1, District SAS Nagar, on behalf of respondent-State has been filed in Court today and is taken on record.

2. On 17.10.2023, the following order was passed by this Court:-

“Prayer in this petition filed under Section 438 Cr.P.C is for grant of anticipatory bail to the petitioner in case FIR No.0145 dated 30.08.2023 registered under Sections 406 and 420 IPC at Police Station Balongi, SAS Nagar, Mohali (Punjab).

Contention of learned counsel for the petitioner is that it is purely a civil dispute which has been converted into a criminal offence.

Attention is drawn towards the fact that on the similar allegations, earlier a complaint dated Annexure P.1 was made way back in 2019 which was duly enquired into by Superintendent of Police, District SAS Nagar (Mohali), who submitted his report dated 04.09.2020 (Annexure P.4), by concluding that it was a matter of money transaction between the parties.

Learned counsel further contends that with the change of government, on the basis of fresh complaint, present FIR has been

registered. It is also pointed out that civil suit is already pending regarding rendition of accounts, copy of which is Annexure P.1.

Notice of motion.

Mr. P.S. Pandher, AAG, Punjab, accepts notice on behalf of the respondent- State. Copy of the petition be supplied to him during course of the day. Mr. B.S. Bali, Advocate appears for the complainant and filed Memo of Appearance.

Adjourned to 07.12.2023 for filing status report.

In the meantime, in case of his arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/ Investigating Officer. However, it is further directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

3. Today, on instructions from ASI Balwinder Kumar, learned State counsel has informed this Court that the petitioner has joined the investigation, in compliance of the order dated 17.10.2023 and is no longer required for further investigation.

4. In view of the aforesaid, the order dated 17.10.2023 whereby the petitioner was granted interim anticipatory bail, is hereby made absolute.

5. However, he shall continue to join investigation, if and so required by the Investigating Officer.

6. Disposed of.

(DEEPAK GUPTA)
JUDGE

07.12.2023

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Whether speaking/reasoned?
Whether reportable?

Yes/No
Yes/No