

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.57077 of 2022
Date of decision: 3rd May, 2023

Avtar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Anil Mehta, Advocate for the petitioner.

Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.105 dated 20.10.2022 under Sections 406, 420, 120-B IPC registered at Police Station Dhakoli, District Mohali.

Vide order dated 08.12.2022, the petitioner had been granted concession of interim bail in the following terms:-

“Learned counsel appearing on behalf of the petitioner has submitted that the petitioner is at parity with the other co-accused namely Jaswinder Singh Sandhu who has been granted interim anticipatory bail by this Court vide CRM-M-54355-2022. He submitted that it is a case where on the face of it, it was a case of a civil dispute and the filing of the FIR itself was an abuse of the process of law.”

Learned counsel for the petitioner submits that in compliance of the order dated 08.12.2022, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions, 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, more so, a cancellation report has been prepared, which is pending approval of the authorities concerned.

In the circumstances, the petition is allowed and the interim order dated 08.12.2022 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

May 3, 2023
rps

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