

206 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-60062-2022
Date of Decision: 16.02.2023

AMAR SINGH DHANESAR

... PETITIONER

V/S

STATE OF PUNJAB

... RESPONDENT

CORAM: HON'BLE MR. JUSTICE VIVEK PURI

Present: Mr. Mohd. Yousaf, Advocate for the petitioner.

Mr. M.S.Nagra, AAG Punjab.

Mr. H.S.Mann, Advocate for the complainant.

* * *

VIVEK PURI, J. (ORAL)

Petitioner is seeking anticipatory bail in case bearing FIR No. 03 dated 15.07.2016 under Sections 420, 465, 468, 471, 120-B IPC, registered at Police Station NRI Sangrur, District Sangrur.

On 22.11.2022, the Co-ordinate Bench of this Court had passed the following order:

“Learned counsel for the petitioner inter alia contends that in the present FIR, the anticipatory bail application filed by the co-accused Bahadur Singh was dismissed by this Court on 08.11.2021 and against the said order, the said Bahadur Singh had filed Special Leave to Appeal (Criminal) No.9175/2021 and the Hon'ble Supreme Court was pleased to issue notice of motion and had also granted interim protection to the said Bahadur Singh. It is further submitted that the anticipatory bail application of Bahadur Singh has been confirmed. It is contended that the dispute, in the present case, is between the brothers and the lease deed which was stated to be forged is dated 22.10.2007, whereas the FIR has been registered on 15.07.2016 and the petitioner has been abroad since 2011 and thus, FIR has been registered behind the back of the petitioner. It is

further contended that the period of lease deed has elapsed and at any rate, the entire case is based on documents and thus, the custodial interrogation of the petitioner is not required. It is also submitted that the petitioner would join the investigation and would fully cooperate with the investigation.

Notice of motion for 16.02.2023.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

It would be open to the State and the complainant to produce any document to show that the petitioner does not deserve the concession of anticipatory bail.”

Learned counsel for the petitioner contends that in pursuance of the interim directions, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Jodh Singh, has not disputed the aforesaid factual aspect and further submitted that the custodial interrogation of the petitioner is not required.

Learned counsel for the complainant contends that subsequent to the registration of the FIR, a compromise has also been effected between the parties.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 22.11.2022 is made absolute.

16.02.2023

Janki

(VIVEK PURI)
JUDGE

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