



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

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CRM-M-8222-2024
Date of decision: September 30th, 2024

Kamikar Singh and another
.....Petitioners

Versus

State of Punjab
.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Ashish Soi and Mr. Arnav Kumar, Advocates
for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

Mr. J.S. Jaidka and Mr. Abhishek Khullar, Advocates
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail to the petitioners in case FIR No.1 dated 09.01.2024 under Sections 420, 467, 468, 120-B of the IPC registered at Police Station NRI, District Ludhiana.

2. Learned counsel for the petitioners submits that in compliance of the orders passed by this Court on 01.03.2024, 24.05.2024 and thereafter, on 30.08.2024, the petitioners have joined investigation and handed over the original copy of the agreement to sell to the investigating agency. The relevant parts of the aforesaid orders read as under:-

Order dated 24.05.2024

“Learned State counsel has not disputed that



petitioner No.1 was marginal witness to the agreement to sell dated 05.11.1999, whereas petitioner No.2 was the purchaser of the plots in question. Learned State counsel, on instructions from ASI Avtar Singh, has also not disputed that there is a civil litigation pending between the parties, however, he submits that the petitioners have not been cooperating with the investigating agency as certain documents have not been handed over to the police as well as they are withholding particulars of one Om Parkash, who too had witnessed the agreement to sell.”

Order dated 30.08.2024

“Learned counsel for the State, on instructions, submits that although the petitioners have joined investigation, however, the original documents which would be required for a thorough investigation in the case at hand have not yet been handed over to the investigating agency.

Learned counsel for the petitioners submits that they have already handed over a photocopy of the agreement to sell; they would hand over the original copy to the investigating agency if one more opportunity is granted to them to join investigation.”

3. Learned counsel appearing for the State, on instructions, has not disputed the submissions made by the counsel opposite and also the factum of the petitioners having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioners are not required for further investigation much less for their custodial interrogation.



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4. In view of the above, the petition is allowed and interim order dated 01.03.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./482(2) BNSS.

September 30th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No