



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-9258-2024

Date of decision: July 31st, 2024

Babaljeet Singh Dhaliwal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

Mr. Ankush Thakral, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.517 dated 14.12.2023 under Sections 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, 1860, registered at Police Station City Ferozepur.

2. While issuing notice of motion on 21.02.2024, following submissions of learned counsel for the petitioner were recorded:-

“Learned counsel for the petitioner inter alia contends that a civil dispute between the parties is being intentionally given a criminal complexion. He further inter alia contends that according to the partnership deed dated 07.10.2020 (Annexure P-1) both the partners i.e. the complainant as well as the accused were to invest Rs.1.5 lakhs in the firm, a commitment which they fulfilled. However, due to differences between the parties, the firm was dissolved on 30.11.2021 in which regard a dissolution deed was also prepared on 30.11.2021 (Annexure P-2). The factum of Rs.4 lakhs to be paid to Lovepreet Brar also finds mentioned in the FIR in question. It has been submitted that the aforesaid payment of Rs.4 lakhs was also subsequently made albeit that Lovepreet Brar demanding additional money on

account of the purported delay which, however, the petitioner refused to do in view of the agreement which was effected between the parties with respect to the payment of Rs.4 lakhs. It has been further submitted that in fact only Rs.1.5 lakhs was invested by both the parties and not Rs.15,50,000/- as was being alleged by the complainant. Rather, the FIR in question had been lodged only to extort money from the petitioner. It has still further been submitted that the case in hand rests on documentary evidence and no recovery would be required to be effected from him and thus his custodial interrogation would not be necessitated in the instant case.”

3. Thereafter, vide order dated 24.04.2024, the petitioner had been granted interim anticipatory bail with direction to join investigation.

4. Learned counsel for the petitioner submits that in compliance of order dated 24.04.2024, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions from ASI Sharma Singh, 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.

6. In view of the above, the petition is allowed and interim order dated 24.04.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

July 31st, 2024

Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes

Whether reportable : No