

CRM-M-17899-2024

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2024:PHHC:098254



**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-17899-2024

Date of Decision:-01.08.2024

Yash Pal Sharma.

.....Petitioner.

Versus

State of Punjab.

.....Respondent.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Rakesh Gupta, Advocate for the Petitioner.

Mr. Mohit Saroha, Assistant Advocate General, Punjab.

Complainant in person.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the petition under Section 438 Cr.PC is for grant of anticipatory bail to the petitioner in case FIR No.54 dated 21.03.2024 under Sections 120-B, 420, 467, 468, 471 IPC registered at P.S. Division No.6 Ludhiana Police Commissionerate, Ludhiana.

On 09.05.2024 the following order was passed:-

“ CRM-19742-2024

The application for placing on record the representation dated 07.04.2023 moved by the petitioner to the Commissioner of Police, Ludhiana (Annexure P-6), is allowed as prayed for subject to all just exceptions. The same is taken on record.

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The status report dated 09.05.2024 filed on behalf of the respondent-State is taken on record.

The learned counsel for the petitioner contends that the



petitioner is a bona fide purchaser for consideration. In fact, the complainant is a close friend of Harwinder Singh who has executed the agreement to sell dated 25.01.2023 for which the petitioner had paid a sum of Rs.5 lacs.

Adjourned to 16.07.2024.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

- (I) that the petitioner shall make himself available for interrogation before the investigating officer as and when required;*
- (ii) that the petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade him/her from disclosing such facts to the Court or to any police officer;*
- (iii) that the petitioner shall not leave the country without prior permission of the Court and shall surrender his passport, if any.”*

Learned Counsel for the petitioner submits that pursuant to the interim order dated 09.05.2024 **passed** by this Court, petitioner has joined the investigation.

The learned State Counsel on instructions submits that the petitioner has joined investigation in terms of orders dated 09.05.2024 and is not required for custodial interrogation.

As the petitioner has joined the investigation and handed over the possession of the shop to the complainant, who is present in Court, at this stage, no case for custodial interrogation is made out at this stage.

In view of the above, interim order dated 09.05.2024 is made



absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

August 01, 2024
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Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No