

Date of decision: 30.01.2024

1. CRM-M-35162-2018

SUNNY BANSAL
...PETITIONER

V/S

CENTRAL BUREAU OF INVESTIGATION AND OTHERS
...RESPONDENTS

SUNNY BANSAL

...PETITIONER

V/S

CENTRAL BUREAU OF INVESTIGATION AND OTHERS

...RESPONDENTS

2. CRM-M-35208-2018

SUNNY BANSAL

...PETITIONER

V/S

CENTRAL BUREAU OF INVESTIGATION AND OTHERS

...RESPONDENTS

3. CRM-M-35207-2018

SUNNY BANSAL

...PETITIONER

V/S

CENTRAL BUREAU OF INVESTIGATION AND OTHERS

...RESPONDENTS

CORAM: HON'BLE MR. JUSTICE HARPREET SINGH BRAR

Present: Mr Keshavam Choudhary, Advocate for
Ms. Isha Goyal, Advocate for the petitioner.

Mr. Akashdeep Singh, Advocate for CBI.

Mr. Karandeep, Advocate for
Mr. J.S. Toor, Standing Counsel, UT Chandigarh.

Mr. Subhash Godara, Addl. A.G., Punjab.

Mr. H.S. Bhatia, Advocate for respondent No.6.

HARPREET SINGH BRAR J. (ORAL)

This common order of mine shall dispose of all the aforesaid petitions as all are arising out of the same FIR. For convenience, facts are borrowed from CRM-M-35162-2018 titled as ***Sunny Bansal versus Central***

Bureau of Investigation and others.

CRM-M-35162-2018

2. Learned counsel for the petitioner, at the outset, submits that he may be allowed to withdraw the present petition except the prayer with regard to quashing of the warrants of arrest issued by Judicial Magistrate Ist Class, Dera Bassi with liberty to raise all the remaining pleas at the appropriate stage during the course of trial.

3. Allowed as prayed for.

4. Learned counsel for the petitioner submits that warrants of arrest have been issued in a most casual and cavalier manner and the approach adopted by the concerned jurisdictional Magistrate is contrary to the ratio of law as laid down by Hon'ble Supreme Court in *Inder Mohan Goswami and another vs. State of Uttranchal and others, 2007(4) RCR (Criminal) 548*. Vide order dated 16.08.2018, the interim order was passed and it was ordered that the warrants of arrest issued against the petitioner shall remain stayed till the next date of hearing.

5. Having heard learned counsel for the parties and after perusal of the record, this Court finds force in the arguments advanced by learned counsel for the petitioner and in view of the law laid down in *Inder Mohan Goswami (supra)* and *Major Singh @ Major Vs. State of Punjab 2023 (3) RCR (Criminal) 406; 2023 (2) Law Herald 1506*, the impugned order dated 06.07.2018 (Annexure P-19) passed by Judicial Magistrate Ist Class, Dera Bassi is set aside.

6. Remaining prayers raised in the instant petition stand dismissed as withdrawn with liberty to raise all the pleas at the appropriate stage during the course of trial.

(HARPREET SINGH BRAR)
JUDGE

January 30, 2024
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| (i) | Whether speaking/reasoned | Yes/No |
| (ii) | Whether reportable | Yes/No |