

CRM-M-19162-2024

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2024:PHHC:126101



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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-19162-2024

Date of Decision:- 23.09.2024

Gurmail Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:-HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. L.S. Sidhu, Advocate
for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

AMARJOT BHATTI, J.

The petitioner-Gurmail Singh has filed the instant petition under Section 438 Cr.P.C. for grant of anticipatory bail in FIR No.39, dated 22.02.2024, under Section 420 IPC, registered at Police Station Jhunir, District Mansa.

2. As per the facts of the case, a written complaint was received from Vinod Kumar alleging that Panchayat Secretary Gurmail Singh has purchased cement, sand, gravel, gatka, interlockers etc. from his shop for development work of Gram Panchayat Tibbi Hari Singh Wali and payment of Rs.10,55,792/- was due towards the purchaser. He was pursuing Gurmail Singh for the last two years for this amount but he was making excuses.

Thereafter, he started threatening the complainant. Ultimately, the matter



was reported to the police and after inquiry, FIR was registered.

3. Learned counsel for petitioner argued that petitioner is no more posted at Tibbi Hari Singh. Entire record is with new Panchayat Secretary. He has already join the investigation in pursuance of interim bail granted in his favour vide order dated 20.04.2024. He is still ready to join the investigation.

4. Status report is filed by respondent-State, which is taken on record. In this status report, it is mentioned that after holding inquiry cancellation of FIR has been recommended by SHO Police Station Jhunir District Mansa. After obtaining necessary approval, cancellation report was presented before Illaqa/Magistrate Sardulgarh on 29.08.2024. It is pointed out that petitioner is not required for further investigation.

However, learned counsel for the complainant opposed the anticipatory bail in favour of petitioner.

5. I have considered the arguments and have gone through the record as referred above. The petitioner was granted interim bail vide order dated 20.04.2024 and in pursuance of the same, he has joined the investigation. Now after investigation, cancellation report is submitted before the Illaqa/Magistrate. It is further pointed out that petitioner is not required for further investigation. So far as complainant is concerned, he is at liberty to contest said cancellation report as per law. In present anticipatory bail, petitioner is not required for any other purpose. Therefore, interim bail already granted in his favour vide order dated 20.04.2024 stands confirmed subject to conditions under Section 438(2)

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Cr.P.C.

- 6. Petition is accordingly disposed of.
- 7. Pending miscellaneous application(s), if any, stand disposed of accordingly as well.

23.09.2024
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(AMARJOT BHATTI)
JUDGE

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