

CRM-M-28991-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-28991-2024
Date of decision: 23.07.2024

KULWANT SINGH

Versus

....Petitioner

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Ashish Pal Kaushal, Advocate for the petitioner.
Mr. Adesh Pal Singh, AAG, Punjab.
.....

SANJIV BERRY, J. (ORAL)

Mr. Naveen Sharma, Advocate has put in appearance on behalf of the complainant and has filed his vakalatnama. The same is taken on record.

2. By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Sections	Police Station
147	01.06.2022	420, 465, 467, 468, 471, 120-B IPC	Division No.5, Ludhiana District Ludhiana

3. Learned counsel for the petitioner submits that in compliance to the order dated 09.07.2024, the petitioner has joined the investigation.

4. During the course of hearing on 09.07.2024, following order had been passed: -

“2. Learned counsel for the petitioner, inter alia, contends that the petitioner is innocent and has been falsely implicated in this case. He is not named in the FIR, however, his name cropped up in the investigation on the



allegation that he alongwith Arshdeep had sold the tractor. He contends that as per the FIR, it is alleged that one Balero and some property had been sold by co-accused Arshdeep, however, in the subsequent application moved by the complainant, it has been alleged that the petitioner alongwith Arshdeep had sold the tractor by fabricating the signature of Kuldeep Singh. He contends that in fact the petitioner happens to be the owner of half share in the said tractor as is evident from the Registration Certificate of the tractor No.PB10-CV-1855 (Annexure P-2). He submits that the petitioner is ready to join the investigation and no other case is pending against him.

3. *Notice of motion.*

4. *On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, present in Court, accepts notice on behalf of the State-respondent and on instructions from SI Sukhwinder Singh, intimates that the petitioner was originally not named in the FIR, however, his name had been brought up in the subsequent application regarding the sale of tractor. He seeks time to file reply.*

5. *Adjourned to 23.07.2024.*

6. *Needful be done well before the date fixed with an advance copy to the counsel opposite.*

7. *In the meanwhile, the petitioner is hereby directed to join investigation on or before 20.07.2024 and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”*



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5. Learned State counsel on instructions from SI Dharampal informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.
6. Learned counsel appearing on behalf of the complainant and has opposed the bail.
7. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 09.07.2024 passed by this Court, interim bail granted vide order dated 09.07.2021⁴ is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.
8. The petition stands allowed.
9. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

23.07.2024
puneet

(SANJIV BERRY)
JUDGE

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|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |