



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-29575-2024
DECIDED ON: 13.06.2024

SATNAM SINGH NAMBARDAR

.....PETITIONER

VERSUS

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SANDEEP MOUDGIL

Present: Mr. Gursimran Singh Bhatia, Advocate
for the petitioner.

SANDEEP MOUDGIL, J (ORAL)

The jurisdiction of this Court has been invoked under Section 438 Cr.P.C., for grant of anticipatory bail to the petitioner in FIR No.101, dated 12.04.2022 (Annexure P-1), under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC, 1860, registered at Police Station Civil Lines, District Amritsar.

Learned counsel for the petitioner contends that the petitioner was not named in the FIR and is only the attesting witness to the Power of Attorney on the basis of which sale deed was executed in the name of one Parveen Singh son of Satnam Singh on 27.04.2021. It is a categorical assertion on behalf of the petitioner that he is not a beneficiary who put his signatures only after verifying the Aadhaar Card of the executants of Power of Attorney and relied upon the report of Patwari as well.

Notice of motion.

On the asking of the Court, Mr. Jasjit Singh Rattu, DAG, Punjab accepts notice on behalf of the respondent-State and on instructions from ASI Gurmeet Singh could not controvert the fact that the petitioner is an attesting witness to the Power of Attorney and nothing is to be recovered from him which would necessitate his custodial interrogation.

This Court having given due regards to the submissions made that nothing is to be recovered from the possession of the petitioner but is only an attesting witness to the Power of Attorney that to after relying upon the executants Aadhaar Card verified by the Patwari, no fruitful purpose would be served by sending the petitioner behind the bars.

In the light of above, the petitioner is directed to be released on anticipatory bail subject to his joining investigation with the Investigating Officer concerned within a period of one week from today, on furnishing of personal/surety bonds to his satisfaction. The petitioner shall also abide by the terms and conditions as envisaged under Section 438(2) of Cr.P.C.

However, it is made clear that in case the petitioner does not comply with the aforesaid direction of joining the investigation within one week, the order passed by this Court today shall automatically stands cancelled.

The petition in the aforesaid terms stands allowed.

(SANDEEP MOUDGIL)
JUDGE

13.06.2024

Poonam Negi

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No