

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-37188-2023

Date of decision: 25.04.2024

Balwinder Singh

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. A.P. Kaushal, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

Mr. Arjun Veer Sharma, Advocate
for the complainant.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0084 dated 17.05.2023 under Section 420 of the IPC and Section 82 of the Registration Act, 1908 registered at Police Station Dugri, Ludhiana, District Ludhiana.

2. Learned counsel for the petitioner has reiterated the following submissions made by him on 19.09.2023:-

“Learned counsel for the petitioner inter alia submits that in the present set of facts, conflicting interest of three parties is involved i.e. the petitioner on the one hand, one Gaurav Kapoor with whom an agreement to sell has been entered into on 14.03.2019 whereby Rs.5,10,500/- was paid by him in cash on the other hand and the complainants in the present case i.e. Ram Niwas Sharma and Mukesh Kumar on the third hand. He further submits that the petitioner is keen to settle the matter with both the parties, by either settling with Gaurav Kapoor whereby he would relinquish all his claims in the land in question that stands sold vide registered sale deed dated

27.05.2019 in favour of Mukesh Kumar Sharma or he would pay upfront the entire sale consideration received from the complainants, in lieu of relinquishment of their claim to the property in question.....”

3. Thereafter, vide order dated 18.01.2024 the petitioner had been granted the concession of interim bail and asked to join investigation.

4. Learned counsel for the petitioner submits that in compliance of order dated 18.01.2024, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions from SI Sukhdev Raj, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

6. In view of the above, the petition is allowed and interim order dated 18.01.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

25.04.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

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