

S. No.214

2024:PHHC:044595

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-53742 of 2023

Date of Decision:03.04.2024

Preetinder Singh alias Ricky and another

.....Petitioners

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Vishal Mittal, Advocate for the petitioners.

Mr. Sahil R. Bakshi, AAG, Punjab.

DEEPAK GUPTA, J. (Oral)

By way of present petition filed under Section 438 Cr.P.C., petitioners pray for grant of anticipatory bail in case FIR No.295 dated 12.09.2023 registered under Sections 406, 420 and 120-B IPC at Police Station Tripuri, District Patiala, Punjab.

On 03.11.2023, the following order was passed by this Court:-

“It is contended by learned counsel for the petitioners that vide order dated 03.10.2023 (Annexure P-2) passed by this Court in CRM-M-49761-2023, the arrest of main accused Kulwinder Singh has already been stayed, and the matter was referred to the Mediation and Conciliation Centre of this Court. Learned counsel further contends that petitioners are merely the witnesses to the agreement to sell in question.

In the light of aforesaid contentions, this petition be put up on 23.11.2023 along with CRM-M-49761 of 2023.

Till then, arrest of both the petitioners shall remain stayed.”

Status report has already been filed.

It is conceded by learned State Counsel that both the petitioners were mere witnesses to the agreement in question.

Learned Counsel for the petitioners has also placed on record copy of the order dated 28.11.2023 passed in CRM-M-49761 of 2023, whereby interim anticipatory bail order passed in favour of main accused – Kulwinder Singh was made absolute as the earnest money was returned by him.

In view of the afore-said facts and circumstances, the present petition is allowed. The petitioners are granted concession of anticipatory bail. Therefore, it is directed that in case of their arrest, the petitioners shall be released on bail by the Investigating Officer subject to their furnishing bail bonds/ surety bonds to the satisfaction of Investigating Officer. However, it is further directed that the petitioners shall join the investigation as and when so required by the Investigating Officer. They shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.

April 03, 2024
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(DEEPAK GUPTA)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No