

210A

2024:PHHC:040193

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-57681-2022

Date of decision :20.03.2024

TARJINDER KUMAR BANSAL @ GOPAL BANSAL

... Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. Rajveer Singh Brar, Advocate for
Mr. B.S. Bhalla, Advocate
for the petitioner(s).

Ms. Ramta K Chaudhary, DAG, Punjab.

Mr. Jagdish Manchanda, Advocate with
Mr. Ravinder Arora, Advocate
for the complainant.

JASJIT SINGH BEDI, J. (ORAL)

On 09.12.2022, the following order was passed:-

“Prayer is for grant of anticipatory bail to the petitioner in criminal case having FIR No.95 dated 1.10.2022 registered under Sections 406, 420, 120-B IPC at Police Station Dhakoli, District SAS Nagar.

Counsel for the petitioner inter alia contends that the petitioner is a developer and has been unnecessarily roped in as an accused in the present case and actually, there is a dispute between co-accused Rohit Kaushal and family of his deceased brother Kamal Kaushal. He further submits that aforesaid co-accused Rohit Kaushal has been granted interim bail by Coordinate Bench of this Court vide order dated 26.10.2022 (Annexure P-3).

Notice of motion.

Mr. C.L.Pawar, Addl. AG, Punjab accepts notice on behalf of the State and Mr. Jagdish Manchanda, Advocate has put in appearance on behalf of the complainant. Counsel for the complainant made prayer

CRM-M-57681-2022

-2-

that the present petition be listed for 12.12.2022, the date already fixed in the connected petition of Rohit Kaushal.

Now be listed on 12.12.2022.

In the meantime, no coercive action be taken against the petitioner.

To be heard along with CRM-M-49758-2022.”

The learned counsel for the petitioner contends that Rohit Kaushal (petitioner in CRM-M-49758-2022) has been granted the concession of anticipatory bail and the allegations are that he in connivance with the present petitioner had transferred the property into his own name (Rohit Kaushal). As Rohit Kaushal himself has been granted the concession of anticipatory bail, the petitioner was entitled to the similar relief.

The learned State counsel has admitted that the petitioner has joined investigation and is no more required for custodial interrogation.

On the other hand, the learned counsel for the complainant contends that proceedings are pending before the Consumer Court in which an order has been passed against the petitioner. He, however, does not dispute the fact that Rohit Kaushal who is alleged to be in connivance with the present petitioner has been granted the concession of anticipatory bail after having paid a sum of Rs.30 lakhs.

I have heard the learned counsel for the parties.

Admittedly, Rohit Kaushal has been granted the concession of anticipatory bail on having paid an amount of Rs.30 lakhs to the

CRM-M-57681-2022

-3-

complainant party and the allegations are that he was in connivance with the present petitioner and had got transferred the property in his own name.

In view of aforesaid factual position, the interim order dated 12.12.2022 in the same terms as passed in CRM-M-49758-2022 is made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

The observations made in this order are only for the purposes of deciding this bail application and all civil proceedings/proceedings before the Consumer Court shall be decided on their own merit.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

20.03.2024
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No