



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

201

CRM-M-61825-2023

Date of decision: May 24th, 2024

Avtar Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Simranjeet Singh Sarwara, Advocate
for the petitioner.

Mr. Navdeep Singh, Deputy Advocate General, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

Petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.96 dated 27.09.2023 under Sections 406, 420, 120-B of the Indian Penal Code, 1860, registered at Police Station Ghanour, District Patiala.

2. Vide order dated 08.12.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner, inter alia, contends that the FIR in question essentially arises out of a civil dispute, which is pending between the complainant and accused Kesar Kaur and Surinder Kaur pertaining to the mortgage of a land. Learned counsel submits that the only role, if any, attributed to the petitioner is of being a signatory to the mortgage deed, for which as already submitted, the matter is already pending before the Civil Court.”

3. Learned counsel for the petitioner submits that in

compliance of order dated 08.12.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from S.I. Malkit Singh, 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.

5. In view of the above, the petition is allowed and interim order dated 08.12.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

May 24th, 2024
Puneet

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No