

Baltej Singh Vs. State of Punjab

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Court : Punjab and Haryana

Decided On : Aug-13-2013

Appellant : Baltej Singh

Respondent : State of Punjab

Judgement :

Singh Omkar 2013.08.14 10:44 I attest to the accuracy and CRM not M-24375 o

1. integrity of this document IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH Crl.

Misc.

not M- 24375 of 2013(O&M) Date of Decision: August 13, 2013.

Baltej Singh PETITIONER(s) Versus State of Punjab RESPONDENT (s)
CORAM:- HON'BLE MR.JUSTICE RAM CHAND GUPTA Present: Mr.Anter Singh
Brar, Advocate, for the petitioner.

MRS.SiMs.Dhir Malhotra, DAG, Punjab.

Mr.Kuldip Sanwal, Advocate, for the complainant.

***** RAM CHAND GUPTA, J.(Oral) The present petition has been filed for
anticipatory bail under Section 438 of Code of Criminal Procedure in FIR no.80
dated 05.06.2013, under Sections 406/420/120B IPC, registered at police station

city Malerkotla, District Sangrur.

I have heard learned counsel for the parties and have gone through the whole record including the impugned order passed by learned Additional Sessions Judge, Sangrur dismissing anticipatory bail application Singh Omkar 2013.08.14 10:44 I attest to the accuracy and CRM not M-24375 o

2. integrity of this document filed on behalf of the petitioner.

This Court while issuing notice of motion on 31.07.2013 passed the following order:- Contends that though petitioner is one of the purchasers of the land in dispute and, however, it is contended that petitioner has paid the entire consideration of his share of the land and this fact also came in the enquiry conducted by the DSP Police.

Further contended that sale deed was duly executed and got registered by the complainant and that there is no merit in the assertion that he wanted to get the mortgage deed executed and registered instead of sale deed.

Further contends that moreover dispute, if any, is of civil in nature.

Notice of motion to Advocate General, Punjab, for 13.8.2013.

However, in the meantime, petitioner is directed to join the investigation and in case he is arrested, he shall be released on interim bail by the Arresting Officer to his satisfaction subject to compliance of conditions specified under Section 438(2) Cr.P.C.To be heard alongwith CrI.M.not M-21730 of 2013.

It has been contended by learned counsel for the petitioner that he has already joined the investigation pursuant to said order dated 31.07.2013.

It has also been stated by learned counsel for the State, on instruction from ASI Gurdeep Singh, that petitioner has joined the investigation.

However, bail application has been opposed by learned counsel for respondent-State as well as by learned counsel for complainant Singh Omkar 2013.08.14 10:44 I attest to the accuracy and CRM not M-24375 o

3. integrity of this document on the plea that petitioner is involved in some other case as well.

However, merely on this ground bail cannot be declined to petitioner-accused.

There are no allegations on behalf of the State that petitioner is likely to abscond or that he is likely to dissuade the witnesses from deposing true facts in the Court, if released on bail.

Hence, in view of these facts and without expressing any opinion on the merits of the case, the anticipatory bail application filed on behalf of Baltej Singh is accepted and order dated 31.07.2013 granting interim bail in favour of the petitioner is, hereby, made absolute subject to compliance of conditions specified under Section 438(2) Cr.P.C. The present petition stands disposed of accordingly.

(RAM CHAND GUPTA) August 13, 2013.

JUDGE om

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