

IN THE HIGH COURT OF PUNJAB AND HARYANA AT  
CHANDIGARH

CRM No.M-26524 of 2013 (O&M)  
Date of Decision:- 31.08.2013

**Balwinder Singh and another**

**.....Petitioners**

**Versus**

**State of Punjab**

**.....Respondent**

**CORAM: HON'BLE MR. JUSTICE MEHINDER SINGH SULLAR**

**Present: Mr. Shivcharan Singh Chahal, Advocate,  
for the petitioners.**

**Mr. Jaspreet Singh, Asstt. Advocate General, Punjab  
for the respondent-State.**

\*\*\*\*

**MEHINDER SINGH SULLAR, J.(oral)**

Petitioners-Balwinder Singh and his father Surjit Singh, have directed the instant petition for the grant of anticipatory bail in a case registered against them, vide FIR No.124 dated 25.07.2013, on accusation of having committed the offences punishable under Sections 420 and 379 read with Section 120-B IPC, by the police of Police Station Raman, District Bathinda, invoking the provisions of Section 438 Cr.P.C.

2. Notice of the petition was issued to the State.

3. After hearing the learned counsel for the parties, going through the record with their valuable assistance and after considering the

entire matter deeply, to my mind, the present petition for anticipatory bail deserves to be accepted in this context.

4. During the course of preliminary hearing, the following order was passed by this Court on August 14, 2013:-

*“Learned counsel, inter alia, contended that the petitioners were the owners of the truck in question, at the relevant time. All the allegations of commission of offences punishable under Sections 420 and 379 read with Section 120-B IPC, are assigned to their drivers. No other specific role or overt-act is attributed to them (petitioners). They have been falsely implicated in this case by the police, in order to wreak vengeance.*

*Heard.*

*Notice of motion be issued to the respondent, returnable for 31.08.2013.*

*Meanwhile, the petitioners are directed to join the investigation before the next date of hearing. In the event of their arrest, the Arresting Officer would admit them to bail on their furnishing adequate bail and surety bonds in the sum of ₹25,000/- each to his satisfaction.”*

5. At the very outset, on instructions from HC Sulakhan Singh, learned State Counsel has acknowledged the factual matrix and submitted that the petitioners have already joined the investigation. They are no longer required for further interrogation, at this stage. There is no history of their previous involvement in any other criminal case. All the offences alleged against the accused are triable by the Court of Magistrate. Even, since the prosecution has not yet submitted the final police report (challan) against the accused, so, the final conclusion of trial will naturally take a long time.

6. In the light of aforesaid reasons and taking into consideration the totality of facts and circumstances, emanating from the record, as discussed here-in-above, the instant petition for anticipatory bail is

accepted. The interim bail already granted to the petitioners by this Court, by virtue of order dated August 14, 2013, is hereby made absolute, subject to the compliance of the conditions, as contemplated under Section 438(2) Cr.P.C.

Needless to mention that, in case, the petitioners do not cooperate or join the investigation, the prosecution would be at liberty to move a petition for cancellation of their bail, in this respect.

August 31, 2013  
naresh.k

(MEHINDER SINGH SULLAR)  
JUDGE