

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-2431-2015 (O&M)

Date of Decision: October 05, 2015

Dinesh Kumar and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE NARESH KUMAR SANGHI

Present: Mr.P.B.S.Goraya, Advocate
for the petitioners.

Mr.K.S.Pannu, DAG, Punjab.

Mr.Veneet Sharma, Advocate
for the informant.

.....

1. ***Whether Reporters of local papers may be allowed to see the judgment ?***
2. ***To be referred to the Reporters or not ?***
3. ***Whether the judgment should be reported in the Digest?***

NARESH KUMAR SANGHI, J.(Oral)

Prayer in this petition, filed under Section 438, Cr.P.C.,
is for grant of anticipatory bail to the petitioners, Dinesh Kumar
and Ravinder Pal Sharma, who have been booked for having
committed the offences punishable under Sections 120-B, 420,
467, 468 and 471, IPC, in a case arising out of FIR No.481, dated
17.12.2014, registered at Police Station, Civil Lines, District

Amritsar.

At the very outset, learned counsel for the State, on instructions from SI Sohan Lal, Police Station, Civil Lines, District Amritsar, submits that in compliance of the interim directions issued by this Court on various dates, the petitioners did join the investigation, however, the receipt on the basis of which the present criminal litigation has been initiated has not been recovered.

At the asking of the Court, learned counsel for the State very fairly concedes that during interrogation the petitioners had disclosed that the original receipt was handed over to the informant, while in her (informant) interrogation the informant stated that the receipt remained with the petitioners.

Learned counsel for the informant as well as the informant, who is also present with him, has opposed the grant of bail on the premise that the receipt has not been recovered from the petitioners.

After hearing the learned counsel for the parties, this Court is of the considered opinion that after grant of interim directions on 23.01.2015, the petitioners have joined investigation multiple times and their further custodial

interrogation is not necessary in the present case. The whole case is based upon documentary evidence.

In view of the above, interim directions issued vide order dated 23.01.2015, are made absolute. They shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2), Cr.P.C.

It is made clear that if the petitioners, in any manner, extend threat or pressurize the informant, then it will be open for the Investigating Agency or the informant to move an application for recalling the concession granted to the petitioners.

October 05, 2015
meenu

(NARESH KUMAR SANGHI)
JUDGE