

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-2536 of 2015 (O&M)

Date of Decision: 11.05.2015.

Bhag Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. O.P. Kamboj, Advocate for the petitioner.

Mr. Nikhil K. Chopra, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case F.I.R. No. 16 dated 9.1.2015 under sections 420, 171, 120-B I.P.C registered at Police Station City Ferozepur, District Ferozepur.

On 6.2.2015, the following order was passed by this Court:-

“The allegation against the petitioner is that he had worn the uniform of police and snatched a mobile phone and Rs.1000/- from the complainant.

Learned State counsel, on instructions from HC Gurmail Singh, has informed the Court that the mobile phone is yet to be recovered from the petitioner.

Adjourned to 11.05.2015.

Meanwhile, the petitioner is directed to join the investigation as and when called by the Investigating Officer. In the event of his arrest, he shall be released on bail by the Investigating Officer on his furnishing bail bonds/sureties to his satisfaction, subject to the following conditions, as envisaged under Section 438(2) Cr.P.C:-

(i) that the petitioner shall make himself available

for interrogation by a police officer as and when required;

(ii) that the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave India without the previous permission of the Court.

(iv) such other condition as may be imposed under sub section (3) of Section 437, as if the bail were granted under that section.”

Learned State counsel upon instructions from ASI Baljinder Singh would apprise the Court that the petitioner has since joined investigation and even the mobile phone has been recovered.

Accordingly, custodial interrogation of the petitioner would not be warranted. Present petition is allowed. Order dated 6.2.2015, passed by this Court, is made absolute.

Disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

11.05.2015
lucky