

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

CRM M-35864 of 2014 (O&M)

Date of decision : 04.08.2015

Krishan Garg

....Petitioner

V/s

State of U.T. Chandigarh

....Respondent

BEFORE : HON'BLE MR. JUSTICE RAJAN GUPTA

Present: Mr. Karanvir Nanda, Advocate for the petitioner.

Mr. Sukant Gupta, Advocate for the U.T. Chandigarh.

Mr. Gautam Diwan, Advocate for the complainant.

RAJAN GUPTA J.

Petitioner has sought pre-arrest bail in a case registered against him under sections 420/467/468/471 IPC vide FIR No. 0348 dated 26.08.2014 at police station Manimajra, Chandigarh.

During the pendency of this case, a coordinate Bench (Kuldip Singh, J) had directed that statement of mother of the petitioner (Nirmala Devi) be recorded by the Duty Magistrate at her residence. A doctor was also directed to accompany the Duty Magistrate. Pursuant to said order, statement of Nirmala Devi recorded under section 164 Cr.P.C. has been forwarded to this court in a sealed cover.

Petitioner has already joined investigation pursuant to order dated 17.10.2014. Under the circumstances, no further direction from this court is necessary. Order dated 17.10.2014 is hereby made absolute subject to conditions envisaged under Section 438(2) Cr.P.C.

Report received under section 164 Cr.P.C. be forwarded to the concerned Illaqa Magistrate in a sealed cover so that same can be referred to in case trial proceeds after conclusion of investigation.

Investigating agency shall, however, not be precluded from summoning the petitioner for further investigation. It shall also be at liberty to seek cancellation of bail in case petitioner does not cooperate.

August 04, 2015

Ajay

(RAJAN GUPTA)
JUDGE