

In the High Court of Punjab and Haryana at Chandigarh

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Criminal Misc. No.M-36511 of 2015

.....

Date of decision:26.11.2015

Deepak

.....Petitioner

v.

State of Punjab

.....Respondent

....

Present: Mr. Krishan Sehajpal, Advocate for the petitioner.

Ms. Simsi Dhir Malhotra, Deputy Advocate General, Punjab
for the respondent-State.

.....

Inderjit Singh, J.

The petitioner has filed this petition under Section 438 Cr.P.C.
for grant of anticipatory bail in case FIR No.126 dated 9.7.2015 registered
for the offences under Sections 420, 463, 468, 471 and 120-B IPC at Police
Station Adampur, District Jalandhar.

Notice of motion has been issued in this case.

Ms. Simsi Dhir Malhotra, learned Deputy Advocate General,
Punjab has put in appearance on behalf of the respondent-State and
contested this petition.

I have heard learned counsel for the petitioner and learned
Deputy Advocate General, Punjab appearing for the respondent-State and
have gone through the record.

From the record, I find that the petitioner has already joined the

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investigation. The allegation against the petitioner is that he had sold SIM and the identity proof was forged document. There is nothing on the record that earlier also the petitioner had committed such type of offence. A perusal of the record shows that the petitioner is neither named in the FIR nor specific allegation is levelled against him. The petitioner is not required for custodial interrogation. No useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts in minute detail and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The interim order dated 21.10.2015 passed by this Court granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

November 26, 2015.

(Inderjit Singh)
Judge

hsp