

CRM-M-39280-2014 (O&M)

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

**CRM-M-39280-2014 (O&M).
Decided on: January 20, 2015.**

Shiv Kumar

..... Petitioner(s)

Versus

State of Punjab

..... Respondent(s)

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CORAM: HON'BLE MR. JUSTICE M.M.S. BEDI

**PRESENT Mr.Vivek Suri, Advocate,
for the petitioner.**

Mr.C.S.Brar, DAG., Punjab.

M.M.S. BEDI, J (ORAL)

Petitioner seeks concession of pre-arrest bail in a case registered at the instance of Kulwant Sngh complainant alleging that the petitioner had received money from the complainant to get him freedom fighter pension. A similar FIR on same allegations was registered against the complainant also as per Annexure P4. Petitioner has already joined investigation pursuant to the interim orders passed by this Court.

It is also the fact that the complainant is an accused in proceedings under Section 138 of the Negotiable Instruments Act initiated by the petitioner. Annexure P2 is the copy of the said complaint.

In view of the petitioner having joined investigation and the controversy between the parties being debatable, it does not

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appear to be a case of custodial interrogation.

The petition is allowed. Interim order dated 18.11.2014 is hereby made absolute subject to the conditions that he will join investigation as and when required and will not tamper with the evidence or hamper investigation, in any manner.

January 20, 2015.
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(M.M.S. BEDI)
JUDGE