

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-5139 of 2015 (O&M)
Date of Decision: 23.03.2015.

Ramesh Chander Kanda

--Petitioner

Versus

State of Punjab

--Respondent

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

Present:- Mr. C.L. Verma, 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 for grant of anticipatory bail to the petitioner in case F.I.R. No. 188 dated 19.12.2014 under sections 406, 420, 465, 467, 468, 471, 120-B I.P.C registered at Police Station, Bhargo Camp, Jalandhar.

While issuing notice of motion, the following order was passed by this Court on 18.2.2015:-

“Learned counsel for the petitioner submits that the petitioner has falsely been implicated in the case by the complainant because of the litigation pending between them. He further submits that earlier the FIR was registered against the complainant, which is still pending. Learned counsel also submits that the passport, in dispute, was never applied by the petitioner and that has been managed/manipulated by the complainant. Learned counsel also submits that neither signatures nor any photograph of the petitioner is there and hence, he cannot be involved in any manner. He further submits that the petitioner is ready to join the proceedings and to abide by all terms and conditions, to be imposed by this Court or by the Investigating Officer. Learned counsel also submits that the petitioner is ready to bear the cost, in case, the

averments made by him in the present petition are found to be false.

Notice of motion for 09.03.2015.

However, in case, the petitioner joins investigation and in the event of his arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer. He shall join the investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under :-

(i) that the petitioner shall make himself available for interrogation before investigating 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 him from disclosing such facts to the court or to any police officer;

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

Learned State counsel upon instructions from ASI Malkender Singh would apprise the Court that the petitioner has since joined the investigation and is not required for custodial interrogation.

Petition, accordingly, is allowed. Order dated 18.2.2015, passed by this Court is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

March 23, 2015
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