

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

**CRM-M No.13637 of 2016
Date of decision: July 23, 2016**

Avtar Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Ms. Sandeep Kaur, Advocate for
Mr. Gopal S. Nahel, Advocate
for the petitioner.

Mr. J.S. Sekhon, AAG, Punjab.

JASPAL SINGH, J.(ORAL)

The present petition has been preferred by Avtar Singh-
petitioner, under Section 438 of the Code of Criminal Procedure for grant
of pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR
No.09, dated 15.02.2016, under Sections 489-A, 489-B, 489-C, 489-D,
420 of IPC, registered at Police Station Rureke Kalan, District Barnala.

At the time of issuance of notice of motion by this Court on
April 25, 2016, the following order was passed:-

*“Petitioner apprehends arrest in a case registered
on the basis of secret information and recovery of fake
currency of Rs.35,000/- from co-accused Jagdeep Singh.*

*The petitioner is alleged to have been involved in the
case on the basis of statement of co-accused which
statement as per counsel for the petitioner is not permissible
in evidence.*

*Notice to the Advocate General, Punjab, for
23.7.2016.*

*Meanwhile, an interim direction is issued that the
petitioner will join investigation on 7.5.2016 and 21.5.2016.
In case of petitioner doing so, he shall be released on
interim bail to the satisfaction of the arresting officer”.*

As per the instructions from ASI Gurlabh Singh, learned State counsel has submitted that petitioner has already joined the investigation in compliance of the order dated April 25, 2016. When the petitioner subjected to custodial interrogation, scanner and printer have been recovered from him, however, no fake currency notes could be recovered from him during his interrogation. Petitioner has already been subjected to custodial interrogation twice but nothing has emerged with regard to any fake currency notes from his possession. Accordingly, this Court is of the view that further custodial interrogation of the petitioner is not required.

Taking into consideration the above facts of the case, interim order dated April 25, 2016, is made absolute, subject to the conditions, as envisaged under section 438(2) Cr.P.C.

July 23, 2016
m. sharma

(JASPAL SINGH)
JUDGE