

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

CRM-M -17968 of 2016 (O&M)

Date of decision: 04.08.2016

Bagga Singh @ Dilbagh Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

**CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN**

Present: Mr. D.S. Sandhu, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab  
assisted by ASI Nirmal Singh.

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**Jitendra Chauhan, J. (Oral)**

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in case FIR No.58, dated 01.06.2013, registered under Sections 420, 465, 467, 468 and 471 IPC and Section 12 of the Passport Act, at Police Station Subhanpur, District Kapurthala.

On 23.05.2016, this Court had passed the following order:-

*“Having been declared a proclaimed offender on 18.9.2014, the petitioner claims that he had not been served with any notice intimating him regarding the date of appearance. The petitioner at present is residing in France. He seeks to challenge the impending arrest through his*

*father.*

*Let, counsel for the petitioner seek instructions from the petitioner regarding his return to India and appearance before the appropriate authority/ Court.*

*Notice to the Advocate General, Punjab, for 4.8.2016.*

*It will be open to the petitioner to move an application for interim relief informing the Court about his exact date of arrival in India.”.*

Thereafter, on 02.06.2016, this Court had passed the following order:-

*“Notice of the application to Advocate General, Punjab.*

*On the asking of the Court, Ms.H.K. Athwal, DAG, Punjab, accepts notice. Copy given.*

*Annexure P-5 is permitted to be taken on record..*

*Petitioner intends to arrive in India on June 25, 2016.*

*Meanwhile an interim order is passed that the petitioner, in case of arrest on arrival in India, will be released on interim bail to the satisfaction of the arresting officer.*

*Status report be submitted on July 11, 2016”.*

It is contended that in pursuance of the order dated 02.06.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 02.06.2016, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

04.08.2016  
*sumit.k*

**(JITENDRA CHAUHAN)**  
**JUDGE**

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|-----------------------------|-----|----|
| Whether speaking/reasoned : | Yes | No |
| Whether Reportable :        | Yes | No |