

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

CRM-M-20361-2016 (O&M)

Date of decision : 26.10.2016

Som Doda

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Mr. Sunil Doda, Advocate for the petitioner.

Mr. Sidakmeet Sandhu, AAG, Punjab,
assisted by ASI Baldev Singh.

JITENDRA CHAUHAN, J. (Oral)

The petitioner seeks pre-arrest bail in case FIR No.145 dated 17.09.2014, registered under Sections 419, 420, 465, 467, 468, 471 and 120-B of the Indian Penal Code, at P.S. City-1, Abohar, Distt. Fazilka.

Heard.

On 03.06.2016, the following order was passed:-

“F.I.R under Section 188 I.P.C registered on 28.1.2016 and wherein he had been admitted to bail. It is contended that the learned Additional Sessions Judge, Fazilka vide order dated 24.5.2016 has declined the concession of pre-arrest bail to the petitioner on the premise that at the time of presentation of challan against the afore-noticed Gobind Rai, the present petitioner had impersonated for such accused and had appeared before the J.M.I.C, Abohar.

Learned counsel has during the course of hearing, read out the vernacular of the F.I.R and wherefrom it would be clear that it is not the present petitioner, who had impersonated and rather he was standing outside the court.

Some unknown person had impersonated for the accused Gobind Rai and two persons i.e. Baghel Singh and Anil Kumar Dabbu stood as surety and had identified him. It is further submitted that co-accused Anil Kumar Dabbu has been granted the concession of anticipatory bail by this Court in the light of order dated 19.2.2015 passed in CRM No. M-4181 of 2015.

Notice of motion, returnable for 16.9.2016.

In the meanwhile, petitioner is directed to join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.

Learned State counsel, on instructions, submits that in pursuance of the order passed by this Court, 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 03.06.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of the Chief Judicial Magistrate/Duty Magistrate concerned.

The petition stands allowed.

26.10.2016
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(JITENDRA CHAUHAN)
JUDGE

Whether speaking / reasoned : Yes No

Whether Reportable : Yes No