

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

CRM-M -22284 of 2016 (O&M)

Date of decision: 23.09.2016

Shiv Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Naresh Jain, Advocate
for the petitioner.

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

Mr. Bhupinder Banga, Advocate for the complainant.

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 FIR No.77 dated 24.05.2016, registered under Sections 447, 511, 380, 427, 506 read with Section 149 IPC, at Police Station Haibowal, District Ludhiana.

On 13.07.2016, this Court had passed the following order:-

“Contends that the petitioner is owner of the shop in dispute. The injunction order dated 19.01.2016 was passed in favour of the petitioner by the Court of Civil Judge (Jr. Divn.), Ludhiana.

Notice of motion.

At this stage, Mr. Bhupinder Banga, Advocate causes representation on behalf of the complainant. A complete copy of

the paper book be supplied to him during the course of the day.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he 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 and;*
- 3. That he shall not leave India without prior permission of the Court.*

List again on 23.09.2016. ”

It is contended that in pursuance of the order dated 13.07.2016, 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 13.07.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

23.09.2016

sumit.k

(JITENDRA CHAUHAN)
JUDGE

Whether speaking/reasoned : Yes No

Whether Reportable: Yes No