

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

**Criminal Misc.No.M-2413 of 2016 (O&M)
Date of Decision : 26th September, 2016**

Sachin Kalyan and others

..... Petitioners

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Harish Sharma, Advocate
for the petitioners.

Ms. Amarjit Kaur Khurana, Addl. A.G., Punjab
for the respondent(s)-State.

AJAY TEWARI, J. (Oral)

This petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.215 dated 07.11.2015, registered under Sections 420, 467, 468, 471, 120-B IPC and Section(s) 13A/3/67 of the Punjab Gambling Act, 1867, at Police Station Division No.7 (Vardhman), Ludhiana.

On 08.02.2016 the following order was passed:-

“During the course of arguments, it has come forth that FIR in question was registered on the basis of a secret information having been received against 14 persons on the allegation that they indulge in illegal betting based on cricket matches, a raid was conducted, 5 of the co-accused were arrested on the spot. Allegations are that the present petitioners fled away.

It has been conceded that the co-accused who were apprehended on the spot have not named the present petitioners in their disclosure statements. Furthermore, the

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present petitioners are not stated to be involved in any other criminal proceedings.

Hearing is deferred to 05.05.2016.

In the meanwhile, petitioners are directed to appear before Investigating Officer and to join investigation.

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

Learned State counsel, on instructions from Sub Inspector Gurdev Singh, has stated that the petitioners have joined the investigation and they are no more required for custodial interrogation.

In the circumstances, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioners in the present case.

Ordered accordingly.

Resultantly, the interim order dated 08.02.2016, passed by this Court, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

Petition stands allowed.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

26th September, 2016
mamta

Whether speaking/reasoned

Yes/No

Whether Reportable :

Yes/No