

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26399 of 2016
DECIDED ON: September 27, 2016

MOHINDER SINGH

.....PETITIONER..

VERSUS

STATE OF PUNJAB

....RESPONDENT..

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Ashish Aggarwal, Advocate,
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab.

JASPAL SINGH, J (ORAL)

Through the instant petition preferred under Section 438 of the Code of Criminal Procedure, Mohinder Singh-petitioner has sought pre-arrest bail, feeling apprehension of his arrest, in case bearing FIR No.177, dated 17.07.2016, under Sections 419, 420, 466, 467, 468, 471 and 120-B IPC, Police Station Sultanwind, District Amritsar City.

2. At the time of issuance of notice of motion, following order was passed by this Court on 03.08.2016 :-

“Notice of motion for 27.09.2016.

In the meanwhile, petitioner is directed to join the investigation. In the event of arrest, petitioner shall be released on pre-arrest bail at the satisfaction of the Arresting Officer/Investigating Officer subject to the conditions, as envisaged under Section 438(2) Cr.P.C.”

3. Learned State counsel has submitted that in compliance of order

dated 03.08.2016, the petitioner has already joined the investigation. However, it is submitted by him that the petitioner has not fully cooperated with the investigating agency and has not furnished the stamp, which is alleged to have been used by him while affixing it on the affidavit.

4. Since, the petitioner has already joined the investigation but on the ground that he has not furnished the stamp, at this stage, is no ground to decline the pre-arrest bail.

5. Taking into consideration the aforesaid aspects of the case but without expressing any opinion on the merits, the petition is allowed and order dated 03.08.2016 is made absolute and shall enure during the pendency of trial but subject to the conditions provided under Section 438 (2) Cr.P.C.

September 27, 2016
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(JASPAL SINGH)
JUDGE

Whether speaking/reasoned: *Yes/No*

Whether reportable: *Yes/No*