

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

CRM-M -28851 of 2015 (O&M)

Date of decision: 09.08.2016

Harish Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Rishu Mahajan, Advocate for the petitioner.

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

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.237, dated 16.07.2015, registered under Sections 419, 420, 464, 465, 467, 468, 471 and 120-B IPC, at Police Station Civil Lines, Amritsar.

On 08.10.2015, this Court had passed the following order:-

“Learned counsel for the petitioner submits that a detailed enquiry was conducted and nothing was found against the petitioner. He further submits that the petitioner will explain each and every circumstances if he is allowed to join the investigation.

Let the petitioner join investigation and in case it is required, the written questionnaire be supplied to asking to answer in written form.

Meanwhile, in the event of arrest, the petitioner shall be released on interim bail to the satisfaction of Investigating Officer. He shall join the investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

- (i) that the petitioner shall make himself available for interrogation before Investigating Officer as and when required;*
- (ii) that the petitioner 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;*
- (iii) that the petitioner shall not leave India without the prior permission of the Court.*

Adjourned to 26.11.2015."

It is contended that in pursuance of the order dated 08.10.2015, 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 08.10.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

09.08.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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