

CRM-M-30131-2016

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

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Date of Decision: 03.11.2016

Balkar Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Sant Pal Singh Sidhu, Advocate,
for the petitioner.

Ms. Shivali, Assistant Advocate General, Punjab.

Mr. G.S.Bhandari, Advocate for
the complainant.

INDERJIT SINGH, J.

Petitioner, Balkar Singh, has filed this petition under Section 438 Cr.P.C. for grant of anticipatory bail in case FIR No.44 dated 29.04.2015, registered at Police Station City Jalalabad, District Fazilka, under Sections 420 and 120-B of the Indian Penal Code.

Notice of motion was issued. Learned State counsel put in appearance on behalf of the respondent-State and the complainant also appeared through his counsel. They contested this petition.

I have heard learned counsel for the petitioner; learned State counsel as well as learned counsel for the complainant and have gone

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through the record.

From the record, I find that the petitioner has not been named in the FIR and only connivance has been attributed to him, as argued.

The petitioner has already joined the investigation. He is now not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 29.08.2016 passed by this Court, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

03.11.2016

parveen kumar

**(INDERJIT SINGH)
JUDGE**

Whether speaking/reasoned	:	Yes
Whether reportable	:	No