

**204-A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-34129-2016

Date of decision: November 17, 2016

Balbir Singh @ Bhola

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Manoj Kumar Pundir, Advocate
for the petitioner.

Mr. R.P.S. Sidhu, AAG, Punjab
for the respondent-State.

JASPAL SINGH, J.(ORAL)

By virtue of the instant petition has been preferred under Section 438 of the Code of Criminal Procedure, petitioner has sought pre-arrest bail, in cross case bearing DDR No.3, dated 14.07.2016, under Sections 436, 427, 379, 148, 149 IPC, registered as cross-version of case/FIR No.37 dated 13.07.2016, under Sections 452, 447, 323, 148, 149 IPC at Police Station Mullanpur Garibdass, District SAS Nagar.

At the time of issuance of notice of motion vide order dated September 24, 2016, the following order was passed:-

“Inter-alia, it has been contended by learned counsel for the petitioner that same allegations have been levelled against the petitioner as are being against the Sandeep Kumar @ Kala, who has already been granted the concession of interim bail vide order dated September 20, 2016 passed by this Court in CRM No.M-32667 of 2016 captioned as “Sandeep Kumar @ Kala & Anr. Vs. State of Punjab”.

Notice of motion for 17.11.2016.

Interim orders in the same terms as in CRM No.M-32667 of 2016. ”

Learned State counsel on instructions from ASI Jasbir Singh, has submitted that petitioner has already joined the investigation in compliance of the order dated September 24, 2016 and is no more required for further interrogation/investigation.

In view of the aforesaid facts, order dated September 24, 2016 is made absolute, subject to the following conditions, as envisaged under section 438(2) Cr.P.C:

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

November 17, 2016
m. sharma

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No