

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

CRM-M No. 35484 of 2016
Date of decision : December 09, 2016

Pardeep Kumar

..... Petitioner

v.

State of Punjab and another,

..... Respondents

CORAM : HON'BLE MR. JUSTICE AJAY TEWARI

Present : Mr. Piyush Sharma, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, Addl. AG Punjab

Mr. IS Panesar, Advocate
for respondent No.2.

Ajay Tewari, J (Oral)

The petitioner seeks cancellation of bail granted to respondent No.2 in case FIR No.55, dated 17.5.2016, registered under Sections 420, 406 of the IPC, at Police Station Division No.2, District Pathankot.

Counsel for respondent No.2 states that due to

communication gap, respondent No.2 came under the impression that

anticipatory bail had been granted but had not come to know of the fact that he had to appear before the IO on 11.9.2016, and would now appear before the IO on any date to be fixed by this Court.

In the circumstances, respondent No.2 is directed to appear before the IO on 15.12.2016 or on any other day on which the Investigating Officer requires his presence, and in the event of his arrest, respondent No.2 shall be released on anticipatory bail by the Investigating Officer to his satisfaction subject to the compliance of the provisions as contained in Section 438(2) of the Cr.P.C. It is made clear that in case he does not appear now also, this petition would be deemed to be allowed.

The petition stands disposed of.

December 09, 2016
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(AJAY TEWARI)
JUDGE

Whether speaking/reasoned:

Yes/No

Whether Reportable:

Yes/No