

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

Sr. No.201

CRM NO. M-35993 of 2016
DECIDED ON: December 05, 2016

GOBIND SINGH

..PETITIONER

VERSUS

STATE OF PUNJAB

...RESPONDENT

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Iqbal Singh Mann, Advocate,
for the petitioner.

Mr. RPS Sidhu, AAG, Punjab.

JASPAL SINGH, J. (ORAL)

By virtue of instant petition preferred under Section 438 Cr.P.C., petitioner Gobind Singh has sought pre-arrest feeling apprehension of his arrest in case FIR No. 17, dated March 25, 2013, under Sections 420 & 120-B IPC, registered at Police Station Sadar Sri Muktsar Sahib, District Sri Muktsar Sahib, during the pendency of trial.

At the time of issuance of notice of motion on October 06, 2016, following order was passed by this Court:

“Inter-alia, it has been contended by learned counsel for the petitioner that during investigation of this case, petitioner was found innocent and at the time of presentation of report under Section 173(2) Cr.P.C. his name was mentioned in Column No.2. However, during the pendency of trial, on the basis of an application moved under Section 319 Cr.P.C., petitioner has been summoned to face trial along with his co-accused.

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Notice of motion for 05.12.2016.

In the meanwhile, petitioner is directed to appear/surrender before the trial Court within 10 days from the receipt of certified copy of this Court order, who shall be released on bail at the satisfaction of trial Court and in case of his arrest at the satisfaction of the Arresting Officer.”

Undoubtedly, in compliance of order dated October 06, 2016, petitioner has appeared before the trial court within prescribed period provided to him and has been allowed interim bail. To fortify this aspect, petitioner has also placed on record a certificate copy of order dated October 12, 2016 passed by Additional Chief Judicial Magistrate, Sri Muktsar Sahib.

Since, petitioner has already joined the proceedings in compliance of order dated October 06, 2016 passed by this Court and he is no more required for further interrogation.

Accordingly, order dated October 06, 2016 is made absolute and shall enure during the pendency of trial.

However, petitioner shall abide by all the terms and conditions as envisaged under Section 438(2) Cr.P.C.

Disposed of.

December 05, 2016
Ankur

(JASPAL SINGH)
JUDGE

Whether Speaking/Reasoned

Yes/No

Whether Reportable

Yes/No