

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

CRM-M -36317 of 2016 (O&M)
Date of decision: 01.12.2016

Gurpreet Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. Neeraj Madaan, Advocate
for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Om Parkash.

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 FIR No.45 dated 19.04.2013, registered under Sections 420, 465 and 120-B of IPC, at Police Station City Jalalabad.

On 07.10.2016, the following order was passed:-

“Learned counsel contends that petitioner neither received any amount nor issued any receipt. The amount, if any, was received by one of the co-accused, namely, Gurpal Singh.

Notice of motion for 01.12.2016.

Meanwhile, in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the following conditions:

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. That he 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 and;*
- 3. That he shall not leave India without prior permission of the Court.”*

On 27.10.2016, the following order was passed:-

“By way of the present application, the petitioner seeks modification in the order dated 07.10.2016, wherein inadvertently it has been reflected that in the event of arrest of the petitioner by the Arresting Officer, he shall be released on interim bail subject to the conditions as envisaged under Section 438 (2) Cr.P.C., whereas, the petitioner was summoned by the Court of SDJM.

Keeping in view the above, the order dated 07.10.2016 is modified to the extent that in case the petitioner surrenders/appears before trial Court, in that eventuality, he be admitted to bail on furnishing bail/surety bonds to the satisfaction of releasing Court.

Disposed of.”

It is contended that in pursuance of the order dated 07.10.2016 (modified vide order dated 27.10.2016), the petitioner has appeared and furnished bail/surety bonds before the trial Court. The certified copy of the order dated 08.11.2016 is taken on record as Mark 'A'.

The learned State counsel does not controvert the above said fact.

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 07.10.2016 (modified vide order dated 27.10.2016), is made absolute.

The petition stands disposed of.

01.12.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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