

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

CRM-M No.37954 of 2015

Decided on: 07.01.2016

Sandeep Kumar

. . . Petitioner

Versus

State of Punjab

. . . Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA

Present: Ms. Amarjit Kaur, Advocate
for the petitioner.

Mr. Daljeet Singh Virk, Assistant A.G., Punjab.

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for grant of anticipatory bail to the petitioner in case FIR No.384 dated 25.10.2014, under Sections 420/34, registered at Police Station, Kotwali, District Bathinda.

On 05.11.2015, while issuing notice of motion, following order was passed by this Court:-

“The learned counsel contends that the petitioner is driver of the main accused namely Hasim Ali and received an amount as alleged in the FIR on behalf of him.

Notice of motion for 18.12.2015.

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.”*

Learned State counsel upon instructions from ASI Jaspal Singh, would apprise the Court that the petitioner has joined the investigation. It has also been conceded that the petitioner is only the driver of the main accused namely Hasim Ali and has received the amount in question on his behalf.

Under such circumstances, custodial interrogation of the petitioner would not be warranted. Present petition is, accordingly, allowed. Order dated 05.11.2015, passed by this Court, is made absolute.

[TEJINDER SINGH DHINDSA]
JUDGE

07.01.2016
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