

**IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH**

CRM-M-38866-2016

Date of Decision: 13.12.2016

Soni @ Mohammad Khalil

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICEINDERJIT SINGH

Present: Mr. Ashish Gupta, Advocate,
for the petitioner.

Mr. P.S.Grewal, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner, Soni @ Mohammad Khalil has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.305 dated 15.09.2016, registered at Police Station Tripuri Town, District Patiala, under Sections 419, 420, 384 and 170 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

From the record, I find that as per the allegations in the FIR, the present petitioner along with Gurjeet Kaur alias Goro was checking the documents of vehicles and extorting huge money from the general public.

The present petitioner was not apprehended at the spot by the police. There is no allegation that the present petitioner was also wearing police uniform.

In pursuance of the interim order dated 09.11.2016 passed by this Court, the petitioner has already joined the investigation. He is now not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending the petitioner to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 09.11.2016, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

13.12.2016
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No