

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM No. M-40223 of 2015 (O&M)
Date of Decision: 12.01.2016

Sandeep Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MR.JUSTICE TEJINDER SINGH DHINDSA.

Present:- Mr. A.K. Sama, Advocate for the petitioner.

Mr. A.S. Kler, D.A.G., Punjab.

TEJINDER SINGH DHINDSA.J

This order shall dispose of the present petition filed under Section 438 Cr.P.C praying for the grant of anticipatory bail to the petitioner in case F.I.R. No.54 dated 14.6.2015 under sections 406, 381 I.P.C, registered at Police Station, Kotbhai Tehsil & District Sri Muktsar Sahib.

On 30.11.2015 while issuing notice of motion, the following order was passed by this Court:-

“Petitioner seeks pre-arrest bail in FIR No.54 dated 14.6.2015 under sections 406 and 381 IPC registered at Police Station Kotbhai, Tehsil and Distt. Sri Muktsar Sahib.

Learned counsel for the petitioner submits that the nature of allegations levelled against the petitioner are based on the concocted story, which does not appeal to reason at all. He further submits that in such a situation custodial interrogation of the petitioner would not be required.

Notice to Advocate General, Punjab, for 12.1.2016.

In the meantime, in the event of arrest, petitioner shall be released on interim anticipatory bail to the satisfaction of arresting/investigating officer, subject to the conditions envisaged under Section 438(2) Cr.P.C. At the first

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instance, petitioner shall join the investigation on or before 7.12.2015 and cooperate with the investigating agency. The petitioner is also directed to join the investigation, thereafter, as and when required by the investigating agency by issuing a notice under Section 160 Cr.P.C.”

Learned State counsel upon instructions from H.C Amrik Singh would apprise the Court that the petitioner has since joined investigation.

In the considered view of this Court, custodial interrogation of the petitioner, as such, would not be warranted. Accordingly, the present petition is allowed. The order dated 30.11.2015, passed by this Court, is made absolute.

Petition disposed of.

(TEJINDER SINGH DHINDSA)
JUDGE

12.01.2016
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