

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

CRM-M -41513 of 2015 (O&M)
Date of decision: 09.08.2016

Manav Sharma

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. G.S. Dhillon, Advocate for
Mr. Sandeep Sharma, Advocate for the petitioner.

Ms. Harsimrat Rai, DAG, Punjab
assisted by ASI Gulwinder Singh.

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 case FIR No.237, dated 16.07.2015, registered under Sections 419, 420, 464, 465, 467, 468, 471 and 120-B IPC, at Police Station Civil Lines, Amritsar.

On 08.12.2015, this Court had passed the following order:-

“Learned counsel for the petitioner submits that in the inquiry conducted by the Economic Offences Wing, nothing was found against the petitioner and it was held that main accused is Raghav Aggarwal and the present petitioner was working as servant with him. The accounts were got opened in the name of other persons by him and the petitioner being servant was just

obeying the orders of Raghav Aggarwal.

Notice of motion.

On the asking of the Court, notice on behalf of the State has been accepted by Ms. Ritu Punj, Addl. AG, Punjab, who seeks time to have instructions in the matter.

Copy of the petition be supplied to learned State counsel during the course of the day.

Meanwhile, the petitioner is directed to join investigation and in the event of arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer. He shall join the investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:

(i)that the petitioner shall make himself available for interrogation before investigating officer as and when required;

(ii)that the petitioner 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;

(iii)that the petitioner shall not leave India without the prior permission of the Court.

Adjourned to 23.12.2015. ”

It is contended that in pursuance of the order dated 08.12.2015, the petitioner has joined the investigation.

The learned State counsel, on instructions, submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

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 08.12.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

09.08.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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