

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

CRM-M -43098 of 2015 (O&M)
Date of decision: 30.08.2016

Sanjay Gupta

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. P.S. Ahluwalia, Advocate for the petitioner.

Mr. Luvinder Sofat, AAG, Punjab.
assisted by ASI Gurmail Singh.

Mr. Jaspreet Singh, Advocate and
Mr. Vishal R. Lamba, Advocate for the complainant.

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.117 dated 22.06.2015, registered under Sections 420, 465, 467, 468, 471 and 120-B IPC, at Police Station Sadar Patiala, District Patiala.

On 19.12.2015, this Court had passed the following order:-

“Petitioner is one of the 25 persons accused of having conspired to defeat the rights of the predecessor-in-interest of Nalini Kumari.

As per the allegations in FIR, a complaint filed in the

year 2007 by the complainant was filed on the basis of the statement of Sanjay Gupta, resident of Palampur. It is alleged that the signatures of the petitioner were fabricated by Jugnu. The petitioner seeks concession of pre-arrest bail.

Taking into consideration the nature of the allegations, it does not appear to be a case of custodial interrogation.

Notice of motion for February 11, 2016.

Meanwhile, an interim direction is issued that the petitioner will join investigation on January 9, 2016 and in case of his doing so, he will be released on interim bail to the satisfaction of the arresting officer.”

It is contended that in pursuance of the order dated 19.12.2015, 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 19.12.2015, is made absolute, subject to the conditions contained in Section 438(2) Cr.P.C.

The petition stands allowed.

30.08.2016
sumit.k

(JITENDRA CHAUHAN)
JUDGE

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