

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

CRM-M No.8573 of 2016 (O&M)

Date of decision: July 13, 2016

Kashmir Singh

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASPAL SINGH

Present: Mr. Nand Lal Sammi, Advocate
for the petitioner.

Mr. Ankur Jain, AAG, Punjab
for the respondent-State.

Mr. Harminder Singh, Advocate
for the complainant.

JASPAL SINGH, J.(ORAL)

This is a petition preferred by the petitioner under Section 438 Cr.P.C. seeking pre-arrest bail in case FIR No.286, dated December 30, 2015, under Section 420 of the Indian Penal Code, registered at Police Station Rajpura City, District Patiala.

While issuing notice of motion, following order was passed by a coordinate Bench of this Court on March 30, 2016:-

“In furtherance of the order dated 11.3.2016, passed by this Court counsel has adverted to the order dated 19.2.2016 passed by this Court in CRM No. M-30819 of 2015, whereby vehicle in question i.e. the Tipper-Truck has been directed to be released on Superdari in favour of the complainant Gurtej Singh himself.

Notice of motion, returnable for 13.7.2016.

In the meanwhile, petitioner is directed to join investigation.

In the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation as and when called upon to do so and he shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”.

Learned State counsel has submitted that in compliance of order dated March 30, 2016, petitioner has already joined the investigation.

Learned State counsel on instructions from SI Kanwar Pal has submitted that petitioner has been investigated and the report under Section 173(2) is likely to be presented in the Court of jurisdictional Court. Since the investigation is complete, the custodial interrogation of the petitioner is no more required.

Accordingly, interim order dated March 30, 2016 is made absolute, subject to the conditions, as envisaged under Section 438(2) Cr.P.C.

July 13, 2016
m. sharma

(JASPAL SINGH)
JUDGE