

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

**CRM-M No.20934 of 2016
Date of Decision: 27.03.2017**

Hem Raj

.... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. S. S. Gurna, Advocate
for the petitioner.

Mr. Neeraj Yadav, AAG, Punjab
for the respondent-State.

Mr. Fariad Singh Virk, Advocate
for the complainant.

DEEPAK SIBAL J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C., the petitioner seeks anticipatory bail in FIR No.90, dated 13.04.2016, registered under Section 420 IPC, at Police Station Tripuri, District Patiala.

Vide order of this Court dated 13.06.2016, while issuing notice of motion, this Court had ordered that in the event of arrest of the petitioner, subject to his joining investigation and complying with all conditions stipulated in Section 438(2) Cr.P.C., he shall be released on bail, on his furnishing adequate bail and surety bonds, to the satisfaction of the Arresting officer/Illaq Magistrate.

Seeking anticipatory bail for the petitioner, learned counsel submits that the petitioner has been falsely implicated in this case; no custodial interrogation is necessary; the matter between the petitioner and

the complainant stands compromised and that in terms of the interim orders of this Court, the petitioner has not only joined investigation, he has fully cooperated with the investigating agency.

Learned State counsel on instructions from ASI Balwinder Singh, admits that the petitioner has joined investigation and that, at this stage, is no longer required for further questioning.

Learned counsel for the complainant submits that he has no objection if the present petition is allowed.

After considering the above submissions, without commenting on the merits of the case, the present petition is allowed and the interim order dated 13.06.2016 granting interim bail anticipatory to the petitioner is made absolute, subject to the conditions prescribed under Section 438 (2) Cr.P.C.

Nothing observed herein-above shall be considered to be an expression of opinion by this Court on the merits of the case.

If the petitioner is found indulging in any other criminal activity/misusing the concession of bail granted to him, it will be open to the State to move an appropriate application before the Competent Court/this Court for cancellation of the granted bail to the petitioner through this order.

March 27, 2017

rittu

**(DEEPAK SIBAL)
JUDGE**

Whether speaking/reasoned: Yes/No

Whether reportable: Yes/No