

202 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26836-2016
Date of decision-19.09.2017

Joginder Singh
Vs.
State of Punjab

...Petitioner

...Respondent

CORAM:- HON'BLE MR. JUSTICE JITENDRA CHAUHAN

Present: Ms. Payel Mehta, Advocate for the petitioner.

Mr. A.S.Gill, Senior DAG, Punjab assisted by
ASI Pavittarjit.

Mr. G.S.Verma, Advocate for the complainant/respondent No.2.

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.78 dated 26.05.2016 registered under Section 498-A of the Indian Penal Code at Police Station City Nawanshahar (Annexure P-1).

On 05.08.2016, this Court had passed the following order:-

“Learned counsel for the petitioner states that there is no MLR and there is no allegations under Section 406 Cr.P.C.

On oral request, the petitioner is permitted to implead the complainant as respondent-party. Amended memo of parties be filed and thereafter notice of motion be issued, returnable for 08.11.2016.

In the meanwhile, the petitioner is directed to join the investigation and if he is sought to be arrested, he shall be released on bail to the satisfaction of the arresting/investigating officer subject to the conditions laid down in section 438 sub section 2 clauses (i)(ii) and

(iii) of the Code of Criminal Procedure.”

It is contended that in pursuance of the order dated 05.08.2016, the petitioner has joined the investigation.

The learned State counsel on instructions submits that in pursuance of the order dated 05.08.2016, 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 05.08.2016, is made absolute, subject to furnishing bail bonds/surety bonds to the satisfaction of learned Chief Judicial Magistrate/Duty Magistrate, concerned.

The petition stands allowed.

(JITENDRA CHAUHAN)
JUDGE

September 19, 2017

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