

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No: 201

IOIN-CRM-M-28844-2000 in
CRM-M-28844-2000

. . .

Rakesh Kumar Manak

Versus

The State of Punjab

. . .

Present: Mr.Surinder Singh, Advocate, for the applicant/petitioner.

Mr.K.S.Sidhu, DAG, Punjab.

. . .

The petitioner had filed CRM-M-28844-2000, through which he had sought anticipatory bail which was granted through order dated 31.08.2000.

The same reads as under: -

“In view of the stand taken by the State, this petition is disposed of with the direction that the petitioner shall make himself available before the investigating agency on 8.9.2000 at 10 A.M. and on any subsequent date to be fixed by it and in case he does so, the applicant will be admitted to interim bail by the arresting officer on his furnishing bail bonds to his satisfaction subject to the conditions:

- i) that he 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;
- ii) that he shall not leave India without the previous permission of the Court concerned.

In order to ensure the compliance of condition No. (ii), the petitioner is directed and has surrendered in court his passport. The same shall be kept by the Addl. Registrar (J) in his safe custody till further orders.

A copy of this order be also sent to the Regional Passport Officer, Chandigarh for further communication to the relevant quarters to ensure the due compliance of this order.

If at any stage, the investigating agency collects some material which necessitate the custodial interrogation of the petitioner, it will be open to it to seek his custody by moving an appropriate application before the Illaqa Magistrate.”

(emphasis supplied)

In pursuance to one of the afore-quoted directions, the applicant/petitioner had surrendered his passport before this Court.

It is stated that through order dated 27.03.2014 the applicant/petitioner has been acquitted by the Judicial Magistrate Ist Class, Mohali and such order has become final. It is in these circumstances that the present application has been filed for returning the applicant/petitioner's passport to him.

Learned State counsel admits that the petitioner has been acquitted by the Judicial Magistrate Ist Class, Mohali, through order dated 27.03.2014 and that such order has become final.

In view of the above, there is no reason to retain the applicant/petitioner's passport. The same be released to him forthwith.

Disposed of.

24.04.2017

shamsher

[DEEPAK SIBAL]
JUDGE