

CRM-M-35055-2017

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

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Date of Decision:13.11.2017

Surinder Kumar Kohli

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. S.S.Kainth, Advocate for
Mr. P.K.S.Phoolka, Advocate,
for the petitioner.

Mr. K.S.Aulakh, DAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Surinder Kumar Kohli has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.179 dated 31.08.2017, registered at Police Station Civil Lines, Bathinda, District Bathinda, under Section 420 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

The allegation against the petitioner is that he filed an affidavit before the court stating that he has never stood surety earlier in any other

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case and stood surety for the first time. However, on checking of the register, it was found that earlier, the petitioner stood surety for accused-Sukhdev Singh in another case.

In pursuance of the interim order dated 20.09.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 20.09.2017, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

13.11.2017
parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No