

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

CRM No.M-38033 of 2017 (O&M)

Date of decision: December 5, 2017

Joginder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Jashandeep Singh Sandhu, Advocate
for the petitioner.

Mr. Ayush Sarna, AAG, Punjab.

INDERJIT SINGH, J.

Petitioner-Joginder Singh, has filed this petition under Section 438 of Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.128 dated 04.09.2017, registered at Police Station Dayalpura Bathinda, District Bthinda, under Setions 489-A, 489-B, 489-C, 420 and 120-B of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel 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.

From the record, I find that the present case has been registered on the basis of secret information and the petitioner was not apprehended on the spot. The recovery has already been effected from the co-accused of the petitioner.

In pursuance of the order dated 10.10.2017 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending the petitioner 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 10.10.2017, 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.

December 5, 2017
rajesh k.khurana

(INDERJIT SINGH)
JUDGE

Whether speaking/reasoned	:	Yes
Whether Reportable	:	No