

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

CRM-M -42054 of 2016 (O&M)
Date of decision: 16.01.2017

Jagdish Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

Present: Mr. M.S. Rana, Advocate for the petitioner(s).

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Narain Gaur.

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.207 dated 07.09.2016, registered under Sections 457 and 380 of IPC, at Police Station Rama Mandi Jalandhar, District Jalandhar.

On 23.11.2016, this Court had passed the following order:-

“Contends that the main allegation is directed against co-accused, Sunil Kumar and Prince. Co-accused, Sunil Kumar has already been admitted to regular bail by the trial Court. The petitioner is not involved in any other FIR.

Notice of motion.

Mr. Luvinder Sofat, AAG, Punjab, accepts notice on behalf of the respondent-State. A complete copy of the paper book has been furnished to the learned State counsel, in the Court.

Meanwhile, in the event of arrest of the petitioner(s) by the Arresting Officer, he shall be released on interim bail subject to

the following conditions:-

- 1. That he shall make himself available for interrogation by a police officer as and when required;*
- 2. 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 and;*
- 3. That he shall not leave India without prior permission of the Court.*

Post again on 16.01.2017.”

It is contended that the main allegations have been directed against co-accused Sunil Kumar and Prince. Co-accused, Sunil Kumar has already been admitted to bail. In pursuance of the order dated 23.11.2016, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that though the petitioner has joined the investigation, however, recovery of certain electronic items is yet to be effected.

Considering the fact that co-accused Sunil Kumar have been admitted to regular bail, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 23.11.2016, 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.

16.01.2017

sumit.k

(JITENDRA CHAUHAN)
JUDGE

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