

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

***CRM No.M-43605 of 2016 (O&M)
Date of decision:09.01.2017***

Charanjit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE TEJINDER SINGH DHINDSA.

Present: Mr. Bhanu Pratap Singh, Advocate for the petitioner.

Ms. Harpreet K. Athwal, DAG, Punjab.

...

TEJINDER SINGH DHINDSA, J.

This order shall dispose of the present petition filed under Section 438 Cr.P.C. seeking anticipatory bail to the petitioner in case FIR No.176 dated 21.07.2015, under Sections 420/465/468/471 IPC, registered at Police Station Tanda, District Hoshiarpur.

Counsel for the parties have been heard.

It is not in dispute that after registration of the FIR, the petitioner was granted concession of anticipatory bail but the same was subsequently cancelled on the ground that he had purportedly misused the concession and had travelled abroad without seeking permission from the Competent Court as the challan had not been presented.

While issuing notice of motion, the following order was passed by this Court on 07.12.2016:

“Learned counsel for the petitioner states that the petitioner had travelled abroad for the reason that he had to attend his ailing wife. The visit was bonafide and has not prejudiced the cause of complainant in any manner.

Notice of motion for 09.1.2017.

In the meantime, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions laid down under Section 438(2) Cr.P.C.”

Learned State counsel apprises the Court that the petitioner has since joined investigation. Even the observations made by this Court while issuing notice of motion have not been rebutted.

Under such circumstances, custodial interrogation of the petitioner would not be warranted.

Petition is allowed. Order dated 07.12.2016 passed by this Court is made absolute.

Disposed of.

09.01.2017

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

i) Whether speaking/reasoned? Yes

ii) Whether reportable? No