

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

CRM-M -5498 of 2017 (O&M)

Date of decision: 15.03.2017

Manjit Kumar

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR.JUSTICE JITENDRA CHAUHAN

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

Ms. Harsimrat Rai, DAG, Punjab
assisted by HC Baldev Singh.

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.240 dated 16.12.2011, registered under Sections 323, 324 read with Section 34 of IPC, at Police Station Sadar Jalandhar, District Jalandhar City.

On 20.02.2017, this Court had passed the following order:-

“The learned counsel refers to Annexure P-5 to contend that the petitioner could not appear before the trial Court as he remained under bona fide impression that compromise has been reached. Therefore, the absent before the trial Court is not deliberate and intentional.

Notice of motion.

At this stage, Ms. Harsimrat Rai, DAG, Punjab accepts notice on behalf of respondent-State. A complete set of paperbook has been handed over to learned State counsel

in the Court.

Meanwhile, in the event of arrest of the petitioner 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 15.03.2017.”

It is contended that in pursuance of the order dated 20.02.2017, the petitioner has joined the investigation.

The learned State counsel, on instructions submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 20.02.2017, 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.

15.03.2017

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(JITENDRA CHAUHAN)
JUDGE

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