

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

**CRM-M No. 17067 of 2018
DATE OF DECISION :- May 31, 2018**

Joginder Singh

...Petitioner

Versus

State of Punjab and another

...Respondents

CORAM: HON'BLE MR. JUSTICE H.S. MADAN

Present:- Mr. K.S. Sidhu, Advocate for the petitioner.

Mr. C.L. Pawar, Sr. DAG, Punjab.

Mr. P.S. Miglani, Advocate for respondent no.2.

Learned counsel for the petitioner states that petitioner has since appeared in the trial Court and has been admitted to bail. He has placed on file certified copy of order passed by JMIC, Abohar dated 1.5.2018 in that regard. He prays that interim bail granted to the petitioner be made absolute whereas this request is being opposed by learned counsel for the complainant stating that petitioner Joginder Singh is the main accused, therefore, his petition for pre arrest bail should be dismissed.

After hearing the rival contentions, I find that since after registration of F.I.R. the matter was enquired into by the police officers several times, however, the petitioner was found to be innocent and private complaint was filed later on. Admittedly custodial interrogation of petitioner is not necessary in such type of case and keeping him behind bars

till disposal of private complainant shall not serve any purpose. Of course, on proving guilt he can be convicted and sentenced. Therefore, the interim bail granted to the petitioner on 25.4.2018 is made absolute, subject to his fulfilling conditions under Section 438(2) Cr.P.C.

The petition stands allowed accordingly.

(H.S. MADAAN)
JUDGE

May 31, 2018
p.singh

Whether speaking/reasoned

Yes/No

Whether Reportable

Yes/No