

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

Crl. Misc. M-26923 of 2016 (O&M)

Date of Decision: January 18, 2018

Kapil Mahajan

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MS. JUSTICE JAISHREE THAKUR

Present:- Mr. Rahul Bhargava, Advocate
for the petitioner.

Mr. A.S. Sandhu, Addl. AG Punjab.

Mr. Rishu Mahajan, Advocate
for the complainant.

JAISHREE THAKUR, J. (Oral)

The instant petition has been filed under Section 438 of Cr.P.C., for grant of anticipatory bail to the petitioner in the event of arrest in FIR No.35 dated 30.06.2016, under Sections 406, 498-A, 120-B of the Indian Penal Code, registered at Police Station Women Cell, District Amritsar City.

Learned counsel for the petitioner contends that the petitioner is falsely implicated in the present case and on the direction of this Court, has joined the investigation. It is also contended that nothing is to be recovered from him.

Learned State counsel, on instructions from the Investigating

Officer, submits that petitioner has joined the investigation and he is not required for the custodial interrogation.

In view of the facts that the petitioner is not required for custodial interrogation and has joined the investigation, without commenting on the merits of the case, the petition is allowed and order dated 08.08.2016 granting interim bail to the petitioner is made absolute, subject to his surrendering the passport before the trial court/Illaqa Magistrate within a period of 07 days from today. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438 (2) Cr.P.C. It is made clear that in case, the petitioner fails to comply with the aforesaid directions, any protection granted to him by this order shall, stand automatically vacated.

January 18, 2018
vijay saini

(JAISHREE THAKUR)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
Yes/No