

CRM-M-28429-2018

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-28429-2018

Date of Decision:10.08.2018

Lal Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. R.S.Sekhon, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner-Lal Singh has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for brevity, 'Cr.P.C.') for grant of anticipatory bail in case FIR No.56 dated 14.06.2018, registered at Police Station City Fazilka, District Fazilka, under Section 420 of the Indian Penal Code.

Notice of motion was issued in this case. Learned State counsel has put in appearance on behalf of the respondent-State and contested this petition.

I have heard learned counsel for the petitioner as well as learned State counsel and have gone through the record.

Learned counsel for the petitioner was earlier in the Home Guard Department till 1996 and he was again called by the Department in the year 2016.

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The allegation against the petitioner is that he has taken old age pension from 2009 till joining.

In pursuance of the interim order dated 11.07.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Therefore, no useful purpose will be served by sending him to custody.

Keeping in view the facts and circumstances of the present case; without discussing the facts of the case in minute details and without expressing any opinion on the merits of the case, I find merit in this petition and the same is allowed. The order dated 11.07.2018, granting interim bail to the petitioner, is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions of Section 438 (2) Cr.P.C.

10.08.2018

parveen kumar

(INDERJIT SINGH)
JUDGE

Note:	Whether speaking/reasoned	:	Yes
	Whether reportable	:	No