

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

CRM-M-42625-2017 (O&M)

Date of decision:07.03.2018

Neeraj Khindri

... Petitioner

Vs.

State of Punjab

... Respondent

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

Present: Mr. Vishavjeet Singh, Advocate for the petitioner.

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

...

TEJINDER SINGH DHINDSA, J. (ORAL).

This order shall dispose of the instant petition filed under Section 438 Cr.P.C. seeking concession of pre-arrest bail to the petitioner in case FIR No.535, dated 20.10.2017, under Sections 408/420/ 468/470/120-B/34, registered at Police Station Civil Lines, Police Commissionerate, Amritsar.

While issuing notice of motion on 13.11.2017, the following order was passed by this Court:

“Present petition under Section 438 Cr.P.C. for seeking pre-arrest bail to the petitioner(s) in case FIR No. 535 dated 20.10.2017, registered under Section(s) 408, 420, 468, 470, 120-B & 34 IPC at Police Station Civil Lines, Police Commissionerate, Amritsar.

Learned counsel for the petitioner contended that petitioner has no role as regard to the receipt of any amount or entrustment thereof. The allegations are against co-accused, namely Vikas and Vishal, who have already been arrested and recoveries have already been effected from them and they are

in custody. As per allegations, petitioner is running the shop of repair of computers. On that basis, petitioner has been involved in the case. Learned counsel further contended that petitioner is ready to join the investigation.

Notice of motion.

On asking of the Court, Ms. Jaspreet Kaur, Assistant Advocate General, Punjab accepts notice on behalf of respondent. A copy of paper book be provided to learned counsel for the respondent(s) during the course of the day.

List on 2.2.2018.

Meanwhile, petitioner(s) is directed to join the investigation. In the event of arrest, petitioner(s) shall be released on interim bail to the satisfaction of the Investigating Officer. The petitioner(s) will join the investigation as and when called for and shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned State counsel upon instructions from ASI Victor Singh informs the Court that the petitioner has since joined investigation.

That apart, the observations made by this Court in the notice of motion order have not been rebutted.

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

Petition is allowed. Order dated 13.11.2017 passed by this Court is made absolute.

Disposed of.

07.03.2018

harjeet

**(TEJINDER SINGH DHINDSA)
JUDGE**

- | | | |
|-----|----------------------------|--------|
| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |