

CRM-M-45642-2018

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

CRM-M-45642-2018

Date of Decision: 14.11.2018

Ramesh Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Ms. Riffi Birla, Advocate,
for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J. (Oral)

Petitioner 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.98 dated 13.09.2016, registered at Police Station Bahaw Wala, District Fazilka, under Sections 206, 207 and 120-B of the Indian Penal Code and Section 420 of the Indian Penal Code added later on.

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 gone through the record.

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As per the prosecution version, Krishan Lal, husband of the complainant had sold a bus to Baldev Kumar on the basis of an affidavit and the present petitioner had signed the same as a witness. The prosecution version is that complainant, wife of Krishan Lal had obtained maintenance order and as per her, she is to recover the maintenance by selling that bus.

In pursuance of the interim order dated 16.10.2018 passed by this Court, the petitioner has already joined the investigation. He is not required for custodial interrogation. Nothing is to be recovered from him. 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 16.10.2018, 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.

14.11.2018
parveen kumar

(INDERJIT SINGH)
JUDGE

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