

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

**CRM-M No. 1859 of 2019
Date of Decision:-25.07.2019**

Mandeep Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Dinesh Mahajan, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ J.(Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.93 dated 10.5.2017, under Sections 420, 465, 468 and 471 IPC, registered at Police Station Sohana, District SAS Nagar. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 05.3.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner submits that the petitioner is typist and has been implicated in the

case on the basis of allegations levelled by co-accused Buta Singh that the forged certificate was given by the petitioner only.

The main beneficiary is co-accused Buta Singh, who has been released on anticipatory bail, which has been confirmed vide order dated 03.04.2018 passed by this Court in CRM-M No.49061 of 2017.

Let the petitioner join investigation and in the event of arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer. He shall also join investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

- (i) that the petitioner shall make himself available for interrogation before investigating officer as and when required;*
- (ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer;*
- (iii) that the petitioner shall not leave India without the prior permission of the Court.*

Adjourned to 25.04.2019.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating

Officer/Arresting Officer.

Learned State counsel who is assisted by SI Parkash Masih does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from SI Parkash Masih further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 05.3.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

July 25, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No