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

CRM-M-2647 of 2019

Date of decision: May 16, 2019

Gurdip Singh Dhaliwal

.....Petitioner

Versus

Union Territory Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Pawan K. Sharma, Advocate for the petitioner.

Mr. Rajiv Sharma, Advocate for the respondent-U.T.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioner, in FIR No.410 dated 21.11.2018, under Sections 408, 120-B of Indian Penal Code, 1860 (for short 'IPC'), registered at Police Station Sector-36, Chandigarh.

Affidavit on behalf of U.T., Chandigarh of Baljit Singh, Sub-Inspector, Police Station, Sector-36, U.T., Chandigarh, filed by learned State counsel, today in Court, is taken on record.

On 06.02.2019, this Court has passed the following order:-

“Let an affidavit of the Investigating Officer be filed explaining as to who was the Incharge of the computer in question and whether any action has been taken against the official or not?”

Adjourned to 07.03.2019.

Needful be done within one week.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim

bail till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from the police official who has come to the Court to assist him has submitted that petitioner has joined investigation in terms of order dated 06.02.2019 and his custodial interrogation is not required.

In view of the above, order dated 06.02.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

May 16, 2019

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Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**