

CRM-M-5752-2019

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

CRM-M-5752-2019

Date of Decision:26.02.2019

Lakhan Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE INDERJIT SINGH

Present: Mr. Surinder Garg, Advocate,
for the petitioner.

Ms.Monika Jalota, DAG, Punjab.

INDERJIT SINGH, J.

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.206 dated 12.09.2018, registered at Police Station City Faridkot, District Faridkot, under Sections 200, 420, 467, 468 and 471 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.

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As per the prosecution version, the FIR has been got registered by the Court of learned Additional District & Sessions Judge, Faridkot on the ground that the petitioner has cheated the court as he had made false declaration in his affidavit that “this is first application under Section 439 Cr.P.C. on behalf of the accused”, in order to procure bail order for accused-Sandeep Kumar.

In pursuance of the interim order dated 07.02.2019 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 07.02.2019, 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.

26.02.2019

parveen kumar

**(INDERJIT SINGH)
JUDGE**

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