

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

CRM-M No.8190 of 2019 (O&M)

Date of Decision: 02.05.2019

Jasvir Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. A.S.Khinda, Advocate for the petitioner.

Mr. C.L.Pawar, Senior Deputy Advocate General, Punjab
for the respondent/State.

Mr. Sahil Arora, Advocate for the complainant.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.45 dated 23.05.2018, under Sections 406, 420, 304, 201, 120-B of the Indian Penal Code, 1860; Section 12 of the Passport Act, 1967 and Section 24 of the Immigration Act, 1965, registered at Police Station Lohian, District Jalandhar.

This Court, while issuing notice of motion on 22.02.2019, passed the following order:-

“ Contends that Deputy Superintendent of Police (L), Jalandhar Rural vide his inquiry dated 10.04.2018 has found the petitioner innocent but despite that police is harassing him.

Notice of motion for 25.03.2019.

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. ”

 Contends that in terms of above order, petitioner has joined the investigation and his custodial interrogation is no longer required. Learned Counsel for the petitioner has handed over demand draft of ₹ 2 Lakh to the complainant in compliance of previous order dated 25.03.2019. Photocopy of the same is retained on record.

 The aforesaid factual position of joining the investigation by the petitioner is duly acknowledged by learned State Counsel, on instructions from ASI Mandeep Singh.

 In view of above, interim order dated 22.02.2019 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

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

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

 However, it is clarified that the aforesaid payment of ₹ 2 Lakh shall be subject to the final outcome of FIR in question.

May 02, 2019
Gagan

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes
Whether Reportable	Yes