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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-14860-2018
Date of decision-06.12.2019

Lakhmir Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Shiv Kumar, Advocate for
Mr. PPS Duggal, 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.0022 dated 25.01.2018 under Section 420 of Indian Penal Code, 1860 registered at Police Station City Rupnagar, District Rupnagar. The petitioner apprehended his arrest at the hands of Police.

On 11.04.2018, notice of motion was issued and at the same time, the interim pre arrest bail was granted to the petitioner. When the matter was again taken up for hearing on 30.09.2019, the following order was passed:-

“Learned State counsel on instructions from ASI Rajender has apprised the Court that indeed the petitioner joined the investigation, however, he is yet to give his specimen writing and signatures.

At this stage, learned counsel for the petitioner states

that the petitioner would give the required specimen.

Let the petitioner join the investigation as and when called by the Investigating Officer.

Adjourned to 06.12.2019.”

Learned State counsel on instructions from ASI Manjit Singh states that the petitioner did not appear for giving his specimen signature and therefore, his custodial interrogation is required.

On the other hand, learned counsel for the petitioner contended that the petitioner visited the Police Station for the said purpose, however, no specimen signatures were taken by the Investigating Officer.

It is not disputed by learned State counsel that except for the specimen signatures, the custody of the petitioner is not required.

Let the petitioner appear before the Chief Judicial Magistrate, Rupnagar on 18.12.2019 at 10.00 a.m., where he will give his specimen signatures as required by the Investigating Officer.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 11.04.2018 is made absolute. It is made clear that in case the petitioner does not appear before the trial Court, the petition is deemed to be dismissed.

(MANOJ BAJAJ)
JUDGE

06.12.2019

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Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No