

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M No.11442 of 2019
Decided on: 06.08.2019

Surinder Sharma @ Surinder Kumar

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : None.

ARVIND SINGH SANGWAN, J. (Oral)

No one is appearing as the Bar is on strike.

The petitioner prays for grant of anticipatory bail in FIR No.0112 dated 01.12.2018, registered under Sections 420, 465, 467, 471, 120-B IPC at Police Station Vairoke, District Fazilka.

The operative part of the order dated 13.03.2019, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and as per the allegations in the FIR, the amount has been paid to co-accused of the petitioner namely Rakesh Dubey. It is further submitted that the petitioner has been named in the FIR on the disclosure statement made by said co-accused Rakesh Dubey and the petitioner undertakes to deposit an amount of Rs.1.50 lacs with the Investigating Officer.

Learned State counsel, on instructions from ASI

Rajesh Kumar, submits that the petitioner be directed to joined the investigation.

List again on 17.05.2018....”

Thereafter, on the asking of the Investigating Officer, the petitioner was again directed to appear before the Investigating Officer vide order dated 08.04.2019.

On 09.05.2019, counsel for the State has submitted that the petitioner has joined the investigation and deposited Rs.2 lacs with the Illaqa Magistrate and counsel for the complainant has sought time to verify this fact and file an affidavit.

Since a period of about 03 months has passed and no affidavit of the complainant is filed, considering the fact that on the last date of hearing i.e. 09.05.2019, counsel for the State has made a statement that the petitioner has joined the investigation, this petition is allowed and the interim bail granted to the petitioner vide order dated 13.03.2019 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, liberty is granted to the complainant to revive the present petition, in case the petitioner is found misusing the concession of bail, in any manner.

(ARVIND SINGH SANGWAN)
JUDGE

06.08.2019
yakub

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