

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

**CRM-M No.37845 of 2018 (O&M)
Decided on: 12.07.2019**

Surinder Kumar and another

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. S.R. Hooda, Advocate
for the petitioners.

Mr. Jagmohan Ghumman, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR No. 50 dated 17.06.2018, registered under Sections 420, 465, 467, 468, 471 and 120-B of the IPC, Section 7 of the Essential Commodity Act and Sections 5, 25(1), 35(1)(A)(B) of the Fertilizer Control Order, 1985 at Police Station Bahawwala, District Fazilka.

The operative part of the order dated 31.08.2018, vide which interim anticipatory bail has been granted to the petitioner, is reproduced as under:-

“...Learned counsel for the petitioners submits that Satdev co-accused against whom similar allegations have been levelled, has been allowed interim bail vide order dated 29.08.2018 passed in CRM-M-37485-2018.

Notice of motion for 13.11.2018....”

Counsel for the petitioners has submitted that, in pursuance to the order dated 31.08.2018, the petitioners have appeared

before the Investigating Officer and have joined the investigation. It is further submitted that the petitioners have also joined the investigation as and when directed by this Court before the Investigating Officer and the SIT, which was constituted later on, during the investigation.

Counsel for the State, on instructions from Inspector Jaskanwar Singh, has not disputed the aforesaid fact and submits that though the petitioners have joined the investigation, however, they are still required for further investigation.

In view of the above, this petition is allowed and the interim bail granted to the petitioners vide order dated 31.08.2018 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

In case before completion of the investigation, the petitioners are still required for any further investigation, then it will be open for the Investigating Officer/SIT to call them by giving an advance notice in writing.

(ARVIND SINGH SANGWAN)
JUDGE

12.07.2019
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Whether speaking/reasoned	Yes/No
Whether reportable:	Yes/No