

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

**CRM-M No. 43267 of 2018
Date of Decision:-25.03.2019**

Harish Kumar

...Petitioner

Versus

Inspector of Customs, Amritsar

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Tejender Joshi, Advocate
for the respondent.

MANOJ BAJAJ J.(Oral)

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in Complaint COMA 593/2015 dated 04.8.2015, titled as 'Inspector of Custom vs. Saurabh Saini and others', registered under Sections 132 and 135 of the Customs Act, 1962, at Amritsar.

Learned counsel for the petitioner contends that the allegations as contained in the complaint case are identical as the allegations levelled in FIR No.237 dated 16.7.2015, under Sections 419, 420, 464, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Civil Lines, Amritsar (Annexure P-1). In the said FIR case, the petitioner was granted concession

of anticipatory bail by this Court vide order dated 09.8.2016 in CRM-M-28851-2015 (Annexure P-3).

On 01.10.2018, this Court had passed the following order in the present petition :-

“Notice of motion for 19.11.2018.

In the meanwhile, the petitioner is directed to surrender before the Arresting/Investigating Officer within seven days. On doing so, he shall be released on interim bail, subject to his furnishing bonds to the satisfaction of Arresting/Investigating Officer. However, he shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C. failing which he shall loose the benefit of interim bail allowed to him.”

Learned counsel for the petitioner contends that in pursuance of the above order, the petitioner submitted himself before the trial Court and was granted the concession of regular bail on 06.10.2018.

Learned counsel appearing on behalf of complainant fairly states that the petitioner had appeared before the trial Court and stands admitted on regular bail.

Considering the nature of the case i.e. the complaint case and without expressing any opinion on the merits of the case, the interim bail granted by this Court vide order dated 01.10.2018, is made absolute.

The petition stands allowed.

March 25, 2019
Vijay Asija

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable

Yes / No
Yes / No