

202 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43855-2018
Date of decision-10.01.2019

Tarun Kumar

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vikram Bali, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab.

MANOJ BAJAJ, J.

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.0164 dated 29.07.2018 registered under Sections 420, 406 and 120-B of the Indian Penal Code at Police Station City Moga, District Moga.

On 05.10.2018 this Court had passed the following order:-

“Learned counsel for the petitioner submits that as per allegations in the FIR, complainant had taken a tractor on loan from M/s L&T Company but defaulted the payment of loan amount. He has alleged that he had surrendered possession of the tractor to settle the amount but still a demand of ₹2,43,000/- has been raised. The petitioner is merely an employee (driver) of L&T Finance Company, who had gone to the complainant and took away the tractor from him.

Notice of motion for 10.01.2018.

Petitioner is directed to surrender before the police and join investigation within two weeks. In the event of his arrest being required, he shall be released on interim bail till the next date, subject to his furnishing bonds to the satisfaction of Arresting Officer. However, he shall abide by the terms and conditions as envisaged under

Section 438(2)(i) to (iv) Cr.P.C. failing which he shall lose the benefit of interim bail allowed to him.”

Learned counsel for the petitioner contends that in pursuance of the order dated 05.10.2018, the petitioner has joined the investigation.

Learned State counsel on instructions from HC Jaswinder Singh submits that the petitioner has joined the investigation and he is not required for custodial interrogation.

In view of the above, the interim bail granted by this Court vide order dated 05.10.2018, is made absolute.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

10.01.2019
vanita

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