

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

CRM-M-46277-2018 (O&M)

Date of decision-14.10.2019

Pakhar Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Simsi Dhir, Advocate for
Ms. Jatinder Jit Kaur, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.127 dated 14.09.2018 under Sections 406 and 120-B of Indian Penal Code, 1860 registered at Police Station Bullowal, District Hoshiarpur. The petitioner apprehend his arrest at the hands of Police.

Learned State has filed inquiry report by way of affidavit of Satinder Kumar, PPS, Deputy Superintendent of Police, Sub Division Hoshiarpur, District Hoshiarpur and the same is taken on record.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 17.10.2018 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Notice of motion for 11.02.2019.
Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing*

personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by ASI Kulwinder Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Kulwinder Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 17.10.2018 is made absolute.

14.10.2019

vanita

(MANOJ BAJAJ)

JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No