

CRM-7228-2019 in/and
CRM-M-47253-2018

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-7228-2019 in/and
CRM-M-47253-2018
Date of decision-06.03.2019

Satnam Singh

....Applicant-Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gagandeep Singh Chhina, Advocate
for the applicant-petitioner.

Mr. V.G. Jauhar, Senior DAG, Punjab assisted by
ASI Balbir.

Mr. S.K.Virk, Advocate for the complainant.

MANOJ BAJAJ, J.

CRM-7228-2019

Application is allowed as prayed for.

Annexure A-1 is taken on record.

Main case

By filing the present petition under Section 438 of the Code of Criminal Procedure, the petitioner has sought anticipatory bail in FIR No.19 dated 30.08.2018 registered under Sections 420 and 120-B of Indian Penal Code and Section 12(1)(b) of Passports Act, 1967 registered at Police Station NRI, Police Commisionerate Ludhiana.

On 01.12.2018, this Court had passed the following order:-

“Learned counsel for the petitioner submits that a civil suit is pending between the petitioner and the complainant and because of that litigation, the false complaint has been made and on the basis of which the present FIR has been registered. The case is based on documentary evidence and nothing is to be recovered from the petitioner. He is ready to join the proceedings initiated against him.

Notice of motion.

Mr. Sanjeev K. Virk, Advocate has put in appearance on behalf of the complainant and has filed his Vakalatnama in the Court, which is taken on record. He has opposed the submissions made by learned counsel for the petitioner.

Adjourned to 29.01.2019.

Meanwhile, in the event of arrest, the petitioner shall be released on interim bail to the satisfaction of the Arresting Officer. He shall join the investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

(i) that the petitioner shall make himself available for interrogation before Investigating Officer as and when required;

(ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) that the petitioner shall not leave India without the prior permission of the Court.”

Learned counsel for the petitioner contends that in pursuance of the order dated 01.12.2018, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Balbir 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 01.12.2018 is made absolute.

The petition stands allowed.

06.03.2019
vanita

(MANOJ BAJAJ)
JUDGE

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