

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

CRM-M-48882 of 2018
Date of Decision:20.02.2019

Parmod KumarPetitioner
Versus

State of HaryanaRespondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Rakesh Dhiman, Advocate for the petitioner.

Mr. Yashwinder Singh, DAG, Haryana.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in FIR No.106 dated 09.05.2018 under Sections 420, 467, 468, 471 and 120-B of the Indian Penal Code, registered at Police Station Chandimandir Panchkula, District Panchkula.

On 02.11.2018, while issuing notice of motion, the following order was passed by this Court:

“CRM-39227-2018

Allowed as prayed for.

CRM-M-48882-2018

Submits that Soma Devi had executed a transfer deed in favour of the petitioner. However, FIR was lodged by her brother on the ground that Soma Devi was 76 years of age and she was not apprised of the nature of the document sought to be got executed from her.

Notice of motion for 19.2.2019.

In the meanwhile, the petitioner is directed to surrender before the police and join investigation within a week.

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.”

It is contended by learned counsel for the petitioner that in terms of the order dated 02.11.2018, the petitioner has joined the investigation.

On instructions from ASI Rishi Pal, the above factual position is duly acknowledged by learned State counsel and submitted that the custodial interrogation of the petitioner is not required in the present case.

In view of the above, the order dated 02.11.2018 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

[MAHABIR SINGH SINDHU]
JUDGE

February 20, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no