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

CRM-M-49898 of 2018

Date of decision: May 03, 2019

Tirath Ram

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Surinder Kaur, Advocate for the petitioner.

Mr. C.L. Pawar, Senior DAG Punjab.

Mr. Amit Dhawan, Advocate for the complainant.

MAHABIR SINGH SINDHU, J (Oral)

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr. P.C.') for grant of anticipatory bail to the petitioner in FIR No.128 dated 29.09.2018, under Sections 420, 465, 467, 468, 471, 120-B of the Indian Penal Code, 1860, registered at Police Station Mehatpur, District Jalandhar Rural.

On 09.01.2019, this Court has passed the following order:-

“Learned counsel for the petitioner submits that the petitioner was not posted as patwari at the time of alleged allegations and his name was not mentioned. Only the designation i.e patwari was mentioned. The allegations are of the year 2013, whereas, the petitioner was posted at that place in the year 2015.

Learned State counsel is directed to verify the said fact.

Adjourned to 18.03.2019.

Meanwhile, the petitioner is directed to join investigation along with relevant record to show that he was not posted as patwari at that time.

The complainant is also directed to be present there to assist the Investigating Officer.”

As per allegation of the prosecution itself, the alleged amount of ₹7

lakhs were paid to Paramjit Singh and not to the petitioner.

Learned State counsel, on instructions from Assistant Sub Inspector Baljinder Singh has submitted that the petitioner has joined investigation in terms of order dated 09.01.2019 and his custodial interrogation is not required.

In view of the above, order dated 09.01.2019 granting interim bail to the petitioner, is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off, accordingly.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

(MAHABIR SINGH SINDHU)
JUDGE

May 03, 2019
mahavir

Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**