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

CRM-M-23124 of 2019

Date of decision: July 12, 2019

Mukesh Kumar and another

.....Petitioners

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Mandeep Singh, Advocate for
Mr. S.K. Sharma, Advocate for the petitioners.

Mr. V.G. Jauhar, Senior DAG Punjab.

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 petitioners, in FIR No.86 dated 19.04.2019, under Sections 465, 467, 468, 471 of Indian Penal Code, 1860 (for short 'IPC') registered at Police Station Civil Lines, Bathinda.

As per prosecution case, petitioner along with co-accused prepared false documents and purchased a vehicle in the name of the complainant and further handed-over the same to someone else.

On 22.05.2019, this Court has passed the following order:-

“Learned Senior counsel for the petitioners contends that as a matter of fact complainant-Ashit Sharma is the registered owner of the vehicle in question and the petitioners has nothing to do with the same.

Learned State counsel seeks some time to verify the

above fact.

Adjourned to 12.07.2019, for further consideration.

In the meanwhile, the petitioners are directed to join investigation before the Investigating Officer. In the event of their arrest, the Arresting Officer would admit them to interim bail till the next date of hearing on their furnishing adequate bail and surety bonds to his satisfaction. The petitioners are also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from Head Constable Jasmail Singh, has submitted that petitioners have joined investigation in terms of order dated 22.05.2019 and their custodial interrogation is not required.

In view of the above, order dated 22.05.2019 granting interim bail to the petitioners, 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 petitioners 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

July 12, 2019

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Whether speaking/ reasoned: **Yes**

Whether Reportable: **No**