

206-3

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

CRM-M-24565 of 2019

Date of decision: November 21, 2019

Pawan Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.S. Randhawa, Advocate for the petitioner.

Mr. H.S. Multani, AAG Punjab.

MAHABIR SINGH SINDHU, J

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 petitioner, in FIR No.61 dated 27.04.2019, under Sections 420, 467, 468, 471 of the Indian Penal Code, 1860, registered at Police Station City Batala.

On 08.07.2019, this Court has passed the following order:-

“Police official present in Court, has apprised that Honey Aggarwal who is running the Punjab Finance Company, Shashtri Nagar, Batala and being beneficiary in this case supplied information to the police on the basis of which FIR was registered.

It transpires that the investigating officer in the present case is acting as a recovery agent on behalf of so-called “secret informer” and even no arrest has been made so far.

Senior Superintendent of Police, Batala is directed to look into the matter and submit a report in this Court within a period of 2 weeks from today and also take suitable action against the erring official(s).

Adjourned to 01.08.2019.

In the meanwhile, 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) of Code of Criminal Procedure, 1973.

A photocopy of this order be placed on the another connected case file.”

Learned State counsel, on instructions from SI Satnam Singh, has stated that in terms of order dated 08.07.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 08.07.2019 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 departmental action against Sub Inspector-Sukhdev Singh by the competent authority be expedited and the same be conveyed to the Registry of this Court within a period of 8 weeks from today.

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

(MAHABIR SINGH SINDHU)
JUDGE

November 21, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No