

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

**CRM-M-53725-2018
Date of decision-22.04.2019**

Tek Chand @ Shankar

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. KBS Mann, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab assisted by
HC Baljinder Singh.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.213 dated 08.11.2018 registered under Section 420 read with Section 34 of Indian Penal Code registered at Police Station City Malout, District Sri Muktsar Sahib. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 05.12.2018 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that as per the allegations made by the complainant, namely, Vipam Kumar the amount was given to one Ashish Kumar son of Bishamber Dass on the alleged inducement of getting job for the sister of the complainant. The petitioner has nothing to do with this alleged deal as the petitioner was never employed with Nagar Council Malout where the alleged job was to be procured for sister of the complainant. It is pointed out that even money was given in month of October 2016 to May, 2017 and the alleged

FIR has been lodged after a period of two years.

Notice of motion for 21.01.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on her furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel who is assisted by HC Baljinder Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from HC Baljinder Singh further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 05.12.2018 is made absolute. However, it is made clear that this order shall remain operative only till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

22.04.2019

vanita

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