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

CRM-M-24906 of 2019

Date of decision: September 13, 2019

Ashok Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. K.R. Dhawan, Advocate for the petitioner.

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 petitioner, in FIR No.78 dated 11.12.2018, under Sections 29/4 of Pre-Natal Diagnostic Techniques Act, 1994 and Sections 420, 120-B of the Indian Penal Code, 1860, registered at Police Station City Zira.

On 31.05.2019, this Court has passed the following order:-

“Contents that concededly, team of three police officials were present at the time of raid, but it is not conceivable as to how the petitioner ran away from the spot.

Let affidavit of the Superintendent of Police concerned be filed as to whether is there any complicity of the police officials in the matter.

Adjourned to 02.08.2019 for further consideration.

In the meanwhile, the petitioner is directed to join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail till the next date of hearing in the present case on his

furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned State counsel, on instructions from Assistant Sub Inspector Gurdeep Singh, has stated that in terms of order dated 31.05.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 31.05.2019 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

September 13, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No