

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

CRM-M-38355-2019

Date of decision : 05.11.2019

Sukhwinder Singh

Petitioner.....

V/s

State of Punjab

Respondent.....

CORAM : HON'BLE MR. JUSTICE ARUN KUMAR TYAGI

Present : Mr. Jagdeep Singh Chahal, Advocate for the petitioner.

Mr.Sandeep Singh Deol, D.A.G., Punjab

ARUN KUMAR TYAGI, J. (Oral)

Prayer in the petition is for grant of anticipatory bail in case FIR No.53 dated 09.06.2017 registered under Section 420 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Mullanpur Garibdass.

Notice of motion was issued vide order dated 10.09.2019 whereby the petitioner was also granted interim bail with direction to join investigation.

Learned State Counsel has appeared on behalf of the respondent-State and opposed the bail application.

I have heard learned Counsel for the petitioner as well as learned State Counsel and have gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner was granted regular bail under Sections 406, 447 and 120-B IPC by the learned Additional Sessions Judge, Mohali vide order dated 29.09.2018 and thereafter Section 420 IPC has been added in the FIR.

Learned State Counsel, on instructions from S.I. Harpal

Singh, has submitted that in compliance with order dated 10.09.2019, the petitioner joined investigation and custodial interrogation of the petitioner is not required.

In view of the facts and circumstances of the case, particularly the fact that custodial interrogation of the petitioner is not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserves the concession of anticipatory bail. Therefore, the petition is allowed and order dated 10.09.2019 granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation again if and as and when called upon to do so and shall abide by the conditions enumerated in Section 438 (2) of the Cr.P.C.

(ARUN KUMAR TYAGI)
JUDGE

05.11.2019
Kavneet Singh

Whether speaking/reasoned	Yes
Whether reportable	No