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

CRM-M-38359 of 2019

Date of decision: October 16, 2019

Balraj Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. O.P. Kamboj, Advocate for the petitioner.

Mr. V.G. Jauhar, Senior DAG 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.96 dated 24.06.2018, under Section 420 of the Indian Penal Code, 1860, registered at Police Station City Muktsar, District Sri Muktsar Sahib.

On 10.09.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that sale deed executed in favour of Harbhagwan Singh on 09.09.2013 was regarding a separate land whereas the complainant is a vendee of some different piece of land and thus, there is no occasion to prosecute the petitioner.

Notice of motion for 16.10.2019.

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 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 HC Lakhvir Singh, has stated that in terms of order dated 10.09.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 10.09.2019 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

October 16, 2019

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Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No