

219

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

CRM-M-42442 of 2019

Date of decision: November 16, 2019

Rajbir Singh @ Rajvir Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Pratham Sethi, 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.49 dated 26.04.2018, under Sections 406, 420 of the Indian Penal Code, 1860, registered at Police Station Sirhind, District Fatehgarh Sahib.

On 03.10.2019, while issuing notice of motion, this Court has passed the following order:-

“Contends that land of the petitioner is already mortgaged with the bank by way of registered deed and moreover, the entire revenue record was available with the bank at the time of sanctioning of loan. Further contends that even recovery proceedings before the Debt Recovery Tribunal, Chandigarh are also pending.

Notice of motion for 16.11.2019.

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 police official present in Court to assist him, has stated that in terms of order dated 03.10.2019, the petitioner has joined investigation and his custodial interrogation is not required.

In view of the above, order dated 03.10.2019 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

November 16, 2019

mahavir

Whether speaking/ reasoned: Yes/No

Whether Reportable: Yes/No