

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

CRM-M-57344 of 2018(O&M)

Date of Decision:21.01.2019

Harbhajan Singh

....Petitioner

Versus

State of Punjab

....Respondent

CORAM:HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. A.S. Manaise, Advocate
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

MAHABIR SINGH SINDHU, J.(Oral)

The present petition has been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case FIR No.24 dated 17.03.2018 registered under Section 420, 120-B of the Indian Penal Code at Police Station Kalanaur, District Gurdaspur.

On 19.12.2018, while issuing notice of motion the following order was passed by this Court:

“ Allegations against the petitioner are that he made a wrong report on the pension form of Tasbir @ Tasvir Kaur and said Tasbir @ Tasvir Kaur has already refunded an amount of ₹ 31,250/- and consequently

was granted pre-arrest bail by this Court in CRM-M-14198-2018. Further contends that even pre-arrest of the co-accused Manjeet Kaur is also pending bearing No.CRM-M- 48976-2018.

Notice of motion for 21.01.2019.

To be heard along with CRM-M-48976-2018.

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”

It is contended by learned counsel for the petitioner that in terms of the order dated 19.12.2018, the petitioner has joined investigation and his custodial interrogation is no longer required.

On instructions from HC Nirmal Singh, the above factual position is duly acknowledged by learned State counsel and stated that the custodial interrogation of the petitioner is no longer required.

In view of the above, the order dated 19.12.2018 is made absolute subject to the provisions of Section 438(2) Cr. P.C.

Petition stands disposed off.

[MAHABIR SINGH SINDHU]
JUDGE

January 21, 2019
rashmi

Whether speaking/reasoned
Whether reportable?

yes/no
yes/no