

CRM-M No.64617 of 2018

211

IN THE HIGH COURT OF PUNJAB AND HARYANAAT
CHANDIGARH

CRM-M No.64617 of 2018
Date of Decision: 15.01.2019

Pishor Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr.Manvinder Singh Sidhu, Advocate for the petitioner.
Mr. C.L.Pawar, Sr. DAG, Punjab.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C for issuance of direction to the arresting officer/SHO Police Station Zira to release the petitioner on bail in case FIR No.78 dated 11.12.2018, under Sections 420 and 120-B of the Indian Penal Code, 1860 and Sections 4 and 29 of Pre Natal Diagnostic Technique (Regulations and Prevention of Misuse), Act, 1994 registered at Police Station City Zira, District Ferozepur.

While issuing notice of motion, this court passed the following order on 26.12.2018:-

“Ms. Gaganjot Kaur, Advocate has appeared on behalf of the petitioner by filing power of attorney, with no objection from the earlier counsel. The same is taken on record. Office to tag the same at appropriate place.

This is a petition under Section 438 Cr.P.C. for issuance of directions to the Arresting Officer/SHO Police Station City Zira to release the petitioner on bail in the event of his arrest in case FIR No.78 dated 11.12.2018 under Sections 420 and 120-B of IPC and Section 4 and 29 of Pre-natal Diagnostic Technique (Regulations and Prevention off Misuses) Act, 1994, registered at Police Station City

CRM-M No.64617 of 2018

Zira, District Ferozepur.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR. As per the learned counsel, his name and role cropped up during the course of investigation when co-accused Avnit Singh (non-applicant) named him to be the person who would fetch clients for sex determination test.

Learned counsel for the petitioner further submits that the petitioner is ready and willing to join the investigation.

Notice of motion for 15.01.2019.

In the meantime, the petitioner shall appear before the Investigating Officer/Arresting Officer and join the investigation within 7 days from today and thereafter as and when required. On doing so, the petitioner shall be released on interim bail to the satisfaction of the Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged in Section 438(2) Cr.P.C.”

Learned State Counsel, on instructions from ASI Gurdeep Singh has acknowledged that in terms of the previous order the petitioner has joined the investigation and his custodial interrogation is no longer required in this case.

In view of above, the interim order dated 26.12.2018 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C. and the present petition stands disposed off.

15.01.2019

mamta

**(MAHABIR SINGH SINDHU)
JUDGE**

<i>Whether speaking/reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>