

CRM-M-NO.44205-2018

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-NO.44205-2018
Date of Decision: 25.04.2019

Mohit Luthra

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present None for the petitioner.
ASI Jagdish in person.

MAHABIR SINGH SINDHU, J (ORAL)

Present petition has been filed under Section 438 of the Code of Criminal Procedure (for short 'Cr.P.C.') for grant of pre arrest bail to the petitioner in case FIR No.160 dated 15.09.2018, under Sections 420,120-B and 473 of the Indian Penal Code, 1860 (for short 'IPC') (Sections 467, 468 and 471 IPC added later on), registered at Police Station Division No. 3, Ludhiana.

This Court on 06.10.2018, passed the following order:-

“Learned counsel for the petitioner has argued that the petitioner, who is operating taxi services, has availed loan from the bank. Though there were certain defaults in making the due instalments, the petitioner is ready to clear the outstanding amount as due on date. Even otherwise, in the present case, the bank has not come forward to lodge the FIR, but since the petitioner has not obliged the police, he has been framed in the case.

Notice of motion for 03.12.2018.

In the meantime, in the event of arrest of the petitioner, he shall be released on ad-interim bail to the satisfaction of the arresting officer. However, the petitioner shall join the investigation as and when directed by the investigating agency and shall abide by the terms and conditions

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laid down under Section 438(2) Cr.P.C.

*On the adjourned date, the Deputy Commissioner of Police,
Ludhiana shall remain present in the Court.”*

ASI Jagdish, who is present in Court in person, 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 the above, the interim order dated 06.10.2018 is made absolute, subject to the conditions as envisaged under Section 438(2) Cr.P.C and the present petition is disposed off.

However, petitioner is directed to fully cooperate in the matter, in case he is called for further investigation.

25.04.2019
mamta

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No