

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

**CRM-M No.12747 of 2020 (O&M)
Date of Decision: 14.07.2020**

Tinku Kumar @ Chintu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Kamal Narula, Advocate for the petitioner.

Mr. Manpreet Singh Nagra, AAG, Punjab
for the respondent/State.

MAHABIR SINGH SINDHU, J. (Oral)

Present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in case bearing FIR No.62 dated 17.04.2020, under Sections 457, 380 of the Indian Penal Code, 1860 (Section 311, IPC added later on), registered at Police Station Guruharsahai, District Ferozepur.

This Court, while issuing notice of motion on 21.05.2020, passed the following order:-

“ Contends that as per the allegations of the prosecution, the occurrence has taken place during the intervening night of 9/10.04.2020 and the present FIR has been registered on 17.04.2020. Further contends that undisputedly the recovery of alleged articles i.e. inverters and batteries have already been effected from co-accused Buta and thus nothing is to be recovered from the petitioner.

Notice of motion for 14.07.2020.

Mr. L.S.Sofat, AAG, Punjab, accepts notice on behalf of the State.

In the meantime, the petitioner is directed to join 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) of Code of Criminal Procedure, 1973. ”

Contents that in terms of the above order, petitioner has joined the investigation.

Learned State Counsel, on instructions, has acknowledged that in terms of order dated 21.05.2020, petitioner has joined the investigation and his custodial interrogation is not required.

In view of above, interim order dated 21.05.2020 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.

It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

Disposed off accordingly.

July 14, 2020

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**(MAHABIR SINGH SINDHU)
JUDGE**

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