

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-12856-2020 (O&M)

Date of decision: 19.08.2020

Vijay Kumar

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

Mr. Ritesh Pandey, Advocate
for the complainant.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.85 dated 02.05.2020 under Sections 420, 265, 266 IPC and 7 of the Essential Commodities Act, registered at Police Station Dinanagar, District Gurdaspur.

While granting interim bail to the petitioner, following order was passed by this Court on 28.05.2020: -

“... Mr. Mahajan contends that the petitioner is a depot holder. He further submits that the petitioner and his son were accused of selling short weight ration to the customers. Learned counsel submits that the son of the petitioner has been admitted to interim bail vide order dated 20.5.2020 passed in CRM-M-12554-2020.

Learned counsel for the petitioner submits that the petitioner's son is a press reporter and had made an adverse media report on the local Minister of the area and therefore the FIR is a vindictive act..."

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from the Investigating Officer, has not disputed that the petitioner has joined the investigation, however, he is still required for further investigation.

Learned counsel for the complainant has made a similar submission.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 28.05.2020 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

It will be open for the Investigating Officer to issue a notice under Section 438 (2) Cr.P.C. directing the petitioner to join the investigation.

[ARVIND SINGH SANGWAN]
JUDGE

19.08.2020
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Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No