

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.16740 of 2020 (O&M)

Date of Decision: August 05, 2020

Pardeep Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Anil K. Sagar, Advocate,
for the petitioner.

Mr. P.S.Walia, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.465 dated 19.12.2019, under Sections 406, 420 and 120-B IPC, 1860, registered at Police Station, Zirakpur, District S.A.S.Nagar. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 29.06.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that as per the allegations itself the land was purchased by complainant from the vendor, namely, Shankuntla Rani (mother of the petitioner) in the year 2012 and in the said transaction, petitioner was not involved. It is pointed out that admittedly, the possession was taken by the purchaser at the time of the purchase of the land and relevant entries were also incorporated in the revenue

record. Learned counsel contends that the mother of the petitioner has already been extended the concession of anticipatory bail vide order dated 17.06.2020 (Annexure P-7). He contends that in the given facts, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 05.08.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C. ”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Balwinder Kumar, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 29.06.2020 is made absolute.

Petition stands disposed off.

August 05, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No