

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

**CRM-M No.18727 of 2020 (O&M)
Date of Decision: 07.09.2020**

Kulvinder Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present:- Mr. Guninder Singh Brar, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab for the respondent.

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 FIR No.116 dated 11.05.2020, under Sections 2, 3, 7 of the Essential Commodities Act, 1955; Sections 3, 8, 9 of the Seed Control Order, 1983 and Section 420 of the Indian Penal Code, 1860 (Sections 465, 467, 468, 471, IPC added later on), registered at Police Station Division No.5, District Police Commissionerate Ludhiana.

The co-ordinate Bench of this Court, while issuing notice of motion on 15.07.2020, passed the following order:-

“ *Case taken up through Video Conferencing.
Notice of motion.
Mr. V.G. Jauhar, Sr.D.A.G. Punjab, accepts notice
on behalf of the respondent-State.
For arguments, adjourned to 07.09.2020.
In the meanwhile subject to the petitioner’s joining
investigation as and when called by the investigating agency as
also abiding by the other conditions provided under Section
438(2) Cr.P.C, in the event of his arrest in FIR No.116, dated*

11.05.2020, registered under Sections 2, 3, 7 of Essential Commodities Act, 1955, Sections 3, 8, 9 of Seed Control Order, 1983 and Sections 420 IPC (Sections 465, 467, 468, 471 IPC added later on) at Police Station Division No.5, District Commissionerate Ludhiana, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer. ”

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

Learned State Counsel, on instructions from ASI Gurcharan Singh, has acknowledged that in terms of order dated 15.07.2020, petitioner has joined the investigation and his custodial interrogation is not required.

In view of above, interim order dated 15.07.2020 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.

September 07, 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>