

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-30137-2019 (O&M)

Date of Decision: 16.03.2020

Som Nath

.. Petitioner

Vs.

State of Punjab and another

..Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. J.S. Dhaliwal, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

None for respondent No.2.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.25 dated 13.03.2018 under Section 420 IPC, 1860, registered at Police Station Kanwan, District Pathankot. He apprehended his arrest at the hands of Police in the above said FIR.

The complainants along with others lodged the FIR on the ground that the accused persons allured them to part way with their money on the pretext of providing job in the Punjab Health Department as the post of surveyors were lying vacant. Allegedly a sum of ₹2,00,000/- was demanded from each candidate. The payments were made either to the wife-accused No.2 (wife of the petitioner) or accused No.1 (petitioner).

Notice of motion was issued on the ground that the parties have entered into a compromise. On 24.10.2019, after hearing learned counsel for the parties, the petitioner was directed to join the investigation and the

said order reads as under:

“Learned counsel for the petitioner states that the parties have entered into compromise.

Adjourned to 16.03.2020.

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 who is assisted by ASI Balwinder Kumar does not dispute this fact that the petitioner has joined the investigation and states that he 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 24.10.2019 is made absolute.

16.03.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No