

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

216

CRM-M-38848-2019

Date of decision : 28.1.2020

SUKHDARSHAN SINGH @ SUKHI

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

Coram: HON'BLE MR. JUSTICE MANOJ BAJAJ.

Present : Mr. Deepak Aggarwal, Advocate, for the petitioner.

Ms. Monika Jalota, DAG, 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.115 dated 15.07.2019 under Section 420 of Indian Penal Code, 1860 registered at Police Station Kotbhai, District Sri Muktsar Sahib. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 12.09.2019 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 the alleged dispute between the parties was settled and a sum of Rs.1,00,000/- was given in cash to the complainant besides the cheques in respect of remaining amount of Rs.1,70,000/-. He submits that the cheques were delivered in the year 2017 and the FIR has been lodged after a long delay in July 2019. He submits that custodial interrogation of the petitioner may not be necessary.

Notice of motion for 28.01.2020.

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 Harjeet Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Harjeet Singh 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 12.09.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

28.1.2020
vishal

Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No