

**207-B IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-M-41157-2019  
Date of decision-31.01.2020**

**Surinder Kumar** **...Petitioner**  
**Vs.**  
**State of Punjab** **...Respondent**

**CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Jatinderpal Singh, Advocate for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

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**MANOJ BAJAJ, J.**

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.97 dated 02.07.2019 under Sections 406 and 420 of Indian Penal Code, 1860 registered at Police Station Dasuya, District Hoshiarpur. 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 25.09.2019 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 as per the complainant, the alleged amount was delivered to the accused persons including petitioner on 08.9.2017. Learned counsel while referring to Annexure P-2, contends that petitioner was not in India on the said date. According to him two more persons, namely Subhash Lal and Hoshiar Singh, who were also associated in the investigation in support of the complainant, also abroad along with the petitioner. Further reliance has been placed upon the concession of bail extended to the co-accused vide order dated 13.9.2019 passed by this Court*

*in CRM-M-39033-2019.*

*Notice of motion for 31.1.2020.*

*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 Pawan Kumar does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Pawan 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 25.09.2019 is made absolute.

**(MANOJ BAJAJ)**  
**JUDGE**

**31.01.2020**

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No