

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.5018 of 2020
Date of Decision :15.09.2021

Anil Kumar

.....Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR.JUSTICE ARUN PALLI, JUDGE

Present : Mr.Sohrab Dhanda, Advocate for
Mr.A.S.Manaise, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.
Mr. Rajesh Kapila, Advocate for the complainant.

(The aforesaid presence is being recorded through video conferencing
since the proceedings are being conducted in virtual Court)

ARUN PALLI, J. (Oral):

Vide this petition under Section 438 of Cr.P.C. the petitioner prays for an anticipatory bail in FIR No.11 dated 13.01.2020, under Sections 420 and 34 of IPC and Section 13 of Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station City Gurdaspur, District Gurdaspur.

Learned counsel for the petitioner submits that in fact, the dispute between the parties stands amicably resolved and pursuant to the compromise arrived at between the parties the petitioner has even moved this Court for quashing the FIR.

Be that as it may. Upon hearing the learned counsel for the parties, this Court vide order dated 25.02.2020, had granted interim bail to the petitioner:-

“Learned State Counsel seeks time to file reply.

Adjourned to 07.05.2020.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim bail allowed to him.”

On instructions from ASI Ajay Rajan, learned State counsel submits that pursuant to the order dated 25.02.2020 (ibid) the petitioner joined the investigation and has been co-operating with the investigating agency, and is no longer required for any custodial interrogation.

The order, vide which, the petitioner was granted interim bail was passed over one and half year ago. The petitioner is not required for any further investigation/interrogation. Thus, the order dated 25.02.2020, is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. and shall join the investigation as and when called upon to do so.

The petition is accordingly disposed of.

(ARUN PALLI)
JUDGE

15.09.2021
Manoj Bhutani

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No