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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.5453 of 2020

Date of Decision:16.09.2021

GIANESH MISHRA

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr. Atul Kaushik, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G Punjab.

RAJ MOHAN SINGH, J. (Oral)

The case has been taken up for hearing through video-conferencing.

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.0004 dated 18.01.2020 registered under Sections 408, 381, 380, 120-B of IPC, at Police Station Phase-I, District SAS, Nagar (Mohali)

On 07.02.2020, following order was passed:-

“Learned counsel for the petitioner contends that petitioner is brother of Rohit Mishra who was engaged as Manager by the complainant on his wholesale nutritional shop. Petitioner was allegedly identified by an employee of the complainant namely Sahdev Shukla on the basis of black jacket belonging to his brother Rohit Mishra who is in custody.

Notice of motion for 15.04.2020.

At this stage, Mr. Simrandeep Singh Bedi, Advocate appears on behalf of the complainant.

In the meanwhile, petitioner is directed to appear

before the SHO/Investigating Officer to join investigation on 11.02.2020 at 11.00 a.m. and in the event of his arrest, he shall be enlarged on ad interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that in compliance of the order dated 07.02.2020, petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel on instructions from ASI Sukhminder Singh admits the aforesaid fact and submits that the petitioner is no more required for further investigation in the case. Total recovery has already been effected from the co-accused.

In view of aforesaid factual position, the interim order dated 07.02.2020 is made absolute. Petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

16.09.2021
Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No