

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

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CRM-M-14805-2021

DATE OF DECISION: 31.08.2021

SURESH KUMAR

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. Jatinder Singh Gill, Advocate for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J. (ORAL)

Case taken up through video conferencing.

The petitioner is seeking anticipatory bail in FIR No.21 dated 13.03.2020, under Sections 406, 420 IPC and Section 13 of the Punjab Travel Professional Regulations Act, 2014, registered at Police Station Behram, District Shaheed Bhagat Singh Nagar.

A coordinate Bench of this court, on 06.04.2021, had passed the following order:-

“By this petition filed under the provisions of Section 438 of the Cr.P.C, the petitioner seeks the concession of pre-arrest bail, upon FIR no.21, dated 13.03.2020, having been registered at Police Station Behram, District SBS Nagar, alleging therein the commission of offences punishable under the provisions of Sections 406 and 420 of the IPC and Section 13 of the Punjab Travel Professional Regulations Act, 2014.

Learned counsel for the petitioner submits that the petitioner has only been named as an accused on the ground that he was in collusion with one Arjinder Singh, to whom in fact, even as per the FIR itself, the entire amount of money was paid.

Notice of motion be issued to the respondents.

On the asking of the Court, Mr. S.S. Deol, learned DAG, Punjab, accepts notice on behalf of the respondent State.

He submits that as per his instructions the aforesaid contention is not incorrect, though of course the petitioner has been named in the FIR itself as one of the collaborators, with him further submitting (again on instructions) that there is no other criminal case registered against him.

Adjourned to 11.05.2021.

In the meanwhile, the petitioner is directed to join investigation within 10 days and upon his doing so, in case he is sought to be arrested, he would be admitted to interim bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Illaq Magistrate. He shall abide by the conditions stipulated in Section 438(2) of the Cr.P.C.

If the arresting officer does not join the petitioner in investigation, he would appear before the learned Illaq Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation.”

Learned State counsel, upon instructions from ASI Shamshe Bahadur, states that the petitioner has joined investigation.

In view of the above and the petitioner having joined investigation, the order dated 06.04.2021 granting interim bail to the petitioner is made absolute.

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

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

31.08.2021.

SwarnjitS

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