

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

203

CRM-M-28840-2021

Date of Decision : 09.09.2021

Sudhir Nagpal

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

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

Mr. Sandeep Kumar, DAG, Punjab.

JUSTICE VIKAS BAHL, J. (Oral)

This is a petition filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.139 dated 14.06.2021 registered under Sections 3, 4 and 5 of Immortal Traffic (Prevention) Act, 1956 at Police Station City Jalalabad, District Fazilka, Punjab.

On 10.08.2021 when this case came up for hearing, the following order was passed:

“This is a petition filed under Section 438 Cr.P.C. seeking concession of anticipatory bail to the petitioner in case FIR No.139, dated 14.06.2021 under Sections 3, 4 & 5 of Immortal Traffic (Prevention) Act, 1956 registered at Police Station City Jalalabad, District Fazilka, Punjab.

On 26.07.2021 notice of motion was issued and the State counsel were directed to file written response to the petition informing as to whether the petitioner is involved in any other criminal case.

Learned State counsel on instructions from ASI Makhan Singh has stated that although he has oral instructions that petitioner is not involved in any criminal

case but a written response has not been filed in the case. The counsel for the petitioner has prayed for interim protection.

Learned counsel for the petitioner has vehemently submitted that no lady has filed a complaint in the present case and there is no allegation that any of the persons allegedly involved is a minor.

Keeping in view the above facts, petitioner is directed to join the investigation and in the event of arrest, he be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. He shall also continue to join the investigation as and when called upon to do so and shall abide by conditions as envisaged under Section 438(2) Cr.P.C.

Adjourned to 09.09.2021.”

Learned State counsel, on instructions from ASI Jagjit Singh, has submitted that the petitioner has joined the investigation in pursuance of the order dated 10.08.2021 and is no more required.

Keeping in view the above-said facts and circumstances, moreso, the fact that the petitioner has joined the investigation and is no further required, the present petition is allowed and the order dated 10.08.2021 is made absolute.

Nothing stated above shall be construed as an expression of opinion on the merits of the case.

09.09.2021
Kothiyal

(VIKAS BAHL)
JUDGE

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