

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

**CRM-M-41607-2020
Date of Decision :20.12.2021**

Gaurav Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Gaurav Mohunta, Advocate with
 Ms. Preeti Aggarwal, Advocate, for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

HARSIMRAN SINGH SETHI J. (ORAL)

The petitioner is seeking anticipatory bail in FIR No.134, dated 11.08.2020, under Sections 420, 465, 467, 471, 120-B of IPC, registered at Police Station City Budhlada, District Mansa, Punjab.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by Coordinate Bench of this Court dated 11.12.2020. Order dated 11.12.2020 is as under:-

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

Learned counsel for the petitioner contends that the petitioner is dealing with the sale purchase of vehicles through auction from financial institutions. The FIR was registered on the basis of secret information. The police has shown recovery of 9 trucks from the co-accused in pursuance of the disclosure statement of Pawan Kumar. Pawan Kumar was arrayed as accused in FIR No. 22 dated 23.02.2020 registered under Sections 379, 383, 419, 420, 465, 467, 468, 471, 120-B IPC at Police Station Budhladha. He was granted interim bail by the High Court vide order dated 11.05.2020 passed in CRM-M No. 12128 of 2020. Thereafter, co-accused Pawan Kumar filed an affidavit in the context of demand of Rs.2,50,000/- by the SHO Jaswinder Singh and ASI Yadwinder Singh, Police Station, Budhladha. On receipt of said affidavit dated 17.07.2020, the order dated 28.07.2020 was passed by the

coordinate bench, thereby directing Pawan Kumar to put in appearance before some other police official to join investigation, who has similarly designated. Thereafter, present FIR came to be registered against the aforesaid Pawan Kumar including the petitioner. Pawan Kumar has been granted regular bail by the Additional Sessions Judge, Mansa vide order dated 01.09.2020.

Notice of motion for 21.01.2021.

Till the next date of hearing, arrest of the petitioner shall remain stayed.”

Learned State counsel, on instructions from SI Sukhminder Singh, states that in terms of the order of Coordinate Bench of this Court, reproduced herein before, the petitioner has joined the investigation and no further interrogation is required at this stage.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 11.12.2020 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.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

20.12.2021
hemlata

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes
Whether reportable : No