

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

203

CRM-M-50703-2022

Date of Decision: 30.11.2022

Sanjeev Kumar @ Sanjiv Kumar

..... Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM: HON'BLE MR. JUSTICE JAGMOHAN BANSAL

Present: Mr.APS Rehan, Advocate
for the petitioner.

Mr. Amish Sharma, Asstt. A.G., Punjab.

JAGMOHAN BANSAL, J. (Oral)

On 02.11.2022, the following order was passed :-

“Through instant petition under Section 438 of Code of Criminal Code, 1973, the petitioner is seeking anticipatory bail in FIR No.45 dated 23.06.2020 registered at Police Station Gardhiwal, District Hoshiarpur, under Sections 406 and 420 of IPC. Inter alia contends that there was dispute of Rs.6 Lakhs between the petitioner and complainant which stands settled. The petitioner in terms of compromise dated 27.05.2022 has already paid a sum of Rs.3.5 Lakhs and balance amount of Rs.85,000/- shall be paid at the time of recording of statement of the complainant regarding compromise. Notice of motion returnable for 30.11.2022. Meanwhile, the petitioner shall join the investigation and would remain present as and when summoned by Investigating Officer and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the

satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C. If the arresting officer does not permit the petitioner to join the investigation, the petitioner would appear before the learned Illaqa Magistrate who would then summon the arresting officer and direct him to join the petitioner in investigation, in terms of the order of this Court. .”

Learned counsel for the petitioner submits that the petitioner has joined the investigation and fully cooperated the Investigating Officer.

Learned State counsel on instructions from ASI Sarabjeet Singh does not dispute the statement made by learned counsel for the petitioner and further submits that petitioner has joined investigation on 23.11.2022. He further submits that no custodial interrogation is required.

In view of the above, the petition is allowed and the interim bail granted to the petitioner vide order dated 02.11.2022 is made absolute subject to the conditions envisaged under Section 438(2) of Cr.P.C.

If the petitioner or his family members/associates make any attempt to threat/intimidate the witnesses in the present case, the State would be at liberty to move an application for cancellation of bail granted by this order.

(JAGMOHAN BANSAL)
JUDGE

30.11.2022
anju

Whether speaking/reasoned	Yes/No
<i>Whether Reportable</i>	<i>Yes/No</i>