

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

211-2

CRM-M-7728-2023

Date of decision: 29.03.2023

Sudesh Kumar

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Ms. Priyanka Chauhan, Advocate for
Mr. Jitender Singh Dadwal, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.0248 dated 29.10.2022 under Sections 447, 448, 380, 420 and 120-B of the IPC registered at Police Station Haibowal, District Ludhiana.

Vide order dated 14.02.2023, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner inter alia contends that the petitioner has no concern with the plots in question and he had sold the same way back in the year 2009. He submits that it is essentially a dispute of civil nature which is being given a criminal color. He submits that he is ready to join investigation. He also submits that co-accused Ashok Kumar has since been extended the benefit of interim bail by this Court vide order dated 18.01.2023 (Annexure P-2), passed in CRM-M-2607-2023.”

Learned counsel for the petitioner submits that in compliance of order dated 14.02.2023, the petitioner has joined

investigation and cooperated with the investigating agency.

Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

In view of the above, the petition is allowed and interim order dated 14.02.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail.

29.03.2023

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(MANJARI NEHRU KAUL)
JUDGE

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