

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

224-2 CRM-M-27760-2023
Date of Decision: 05.09.2023

Mohabbat Meharban Petitioner
Versus
State of Punjab Respondent

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present:- Mr. Anshul Sharma, Advocate for
Mr. G.S. Madaan, Advocate for the petitioner.

Mr. Shiva Khurmi, AAG, Punjab.

ANOOP CHITKARA, J. (ORAL)

FIR No.	Dated	Police Station	Sections
14	12.04.2023	Vigilance Bureau, Phase-1, District SAS Nagar, Mohali	7, 7-A of Prevention of Corruption Act, 1988 as amended by P.C. (Amendment) Act 2018 and Section 120-B IPC

The petitioner incarcerated in the FIR captioned above, has come up before this Court under Section 439 CrPC seeking bail.

2. State counsel submits that as per custody certificate dated 05.09.2023, one another case under the Arms Act is pending against the petitioner, however, in para 15, the petitioner has mentioned that he has no criminal history.
3. On this, counsel for the petitioner submits that the error has occurred because the petitioner was in custody and there was a miscommunication. However, he further submits that in compliance of order dated 29.08.2023, he has handed over the affidavit declaring assets of the petitioner to the State counsel and he submits that he would hand over the affidavit of his spouse by 13.09.2023.

4. State counsel does not refute the claim of the petitioner qua compliance.
5. Given such assurance, the present petition is allowed and interim order dated 29.08.2023 is made absolute. It is clarified that in case, affidavit of the petitioner’s spouse is not filed by 13.09.2023 then this order shall stand recalled automatically and the petitioner shall surrender in the concerned trial Court on 14.09.2023. All pending miscellaneous applications, if any, stand disposed of.

(ANOOP CHITKARA)
JUDGE

05.09.2023
Jyoti-II

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No