

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

206

2023:PHHC:097272
CRM-M-35021-2022 (O&M)
Date of decision: July 31st, 2023

Vipan Kumar

.....Petitioner

Versus

State of Punjab and another

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rahul Bhargava, Advocate
for the petitioner.

Mr. Subhash Godara, Additional Advocate General, Punjab.

Mr. Kanwar Pahul Singh, Advocate
for the complainant.

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.122 dated 08.11.2021 under Section 420 of the Indian Penal Code, 1860, registered at Police Station Division D, Police Commissionerate, Amritsar.

Vide order dated 08.08.2022, the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Counsel for the petitioner submits that present FIR has been lodged on the basis of the complaint made by SI Surinder Mohan in which he alleged that the present petitioner took money on the pretext of providing employment to his relatives in Punjab Police. He further submits that the contents of the present FIR have been falsified from the perusal of earlier FIR (Annexure P-2) dated 26.9.2013 wherein also, similar allegations were raised against the present petitioner by SI Surinder Mohan and finally, the matter was

compromised and in this regard, the aforesaid complainant gave his affidavit (Annexure P-3).”

Learned counsel for the petitioner submits that in compliance of order dated 08.08.2022, 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 08.08.2022, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

July 31st, 2023

Puneet

**(MANJARI NEHRU KAUL)
JUDGE**

Whether speaking/reasoned : Yes

Whether reportable : No