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

CRM-M-39091-2022 (O&M)

Date of Decision: 20.01.2023

SUNNY KUMAR

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present : Mr. J.S. Rana, Advocate for
Mr. Deepinder Brar, Advocae
for the petitioner.

Mr. Vinay Kumar Gupta, AAG, Punjab.

HARSH BUNGER, J. (Oral)

Prayer in the present petition filed under Section 438 Cr.P.C is for grant of concession of anticipatory bail to the petitioner in case FIR No.185 dated 18.09.2021 registered under Sections 406 and 420 IPC 1860 and Section 13 of Punjab Travels Professional Act at Police Station Division No.6, Jalandhar, District Jalandhar.

On 29.09.2022, the following order was passed by this Court :-

“Learned State counsel seeks some time to get better and proper instructions in this matter from the quarter concerned and if deemed necessary, then to file the status-report also.

Adjourned to 20.01.2023.

Meanwhile, in the event of his arrest, the petitioner shall be released on interim bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/Investigating Officer.

However, the petitioner shall join in the investigation as and when required/called upon to do so and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C.”

Learned counsel for the petitioner submits that pursuant to the aforesaid order, the petitioner has joined the investigation.

Learned State counsel on instructions from ASI Sawraj Thapar has not disputed the aforesaid fact of joining the investigation by the petitioner and submits that his custodial interrogation is not required at this stage.

Heard learned counsel for the parties.

Since the petitioner has joined the investigation and his custodial interrogation is not required at this stage, the present petition is allowed and the ad-interim order dated 29.09.2022 passed by this Court is made absolute.

However, the petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) Cr.P.C.

It is made clear that if the petitioner fails to comply with any of the directions made above and the bail conditions, the State would be at liberty to move an application for cancellation of this anticipatory bail granted to the petitioner.

Nothing expressed here-in-above shall be construed to be an observation on merits of the case and the facts and circumstances recorded above are only for consideration of the prayer for anticipatory bail at this stage.

The petition is accordingly disposed of.

20.01.2023

Amandeep

(HARSH BUNGER)

JUDGE

Whether speaking/reasoned:

Yes/No

Whether reportable:

Yes/No