

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

212

CRM-M-36935-2023
Date of decision: 18.09.2023

Rajesh Kumar

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : None for the petitioner
ASI Khem Chand in person

AMAN CHAUDHARY. J.

1. On 31.07.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr.P.C. for grant of pre-arrest bail to the petitioner in FIR No.46 dated 01.06.2023, registered under Sections 420, 468, 471 and 120-B IPC, at Police Station Ghagga, District Patiala.

Learned counsel contends that the petitioner is dealing in Sim cards of various companies including BSNL. The allegations against him are of having issued sim cards with the same photographs but the documents of identity being different. There is no evidence that the said sim cards were used for any illegal purpose. Reliance is placed on orders passed by this Court granting interim bail in CRM-M-31423-2023, Annexure P3 and CRM-M-32883-2023, Annexure P4 wherein the similar allegations were levelled, as against the petitioner. He is not involved in any other case. He is ready and willing to join investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Manipal Singh Atwal, DAG, Punjab accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 08.08.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions as

enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 18.09.2023.”

2. ASI Khem Chand submits that the petitioner has joined the investigation on 07.08.2023 and is cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

3. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 31.07.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C.

4. However, it is made clear that if the petitioner fails to join and cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

18.09.2023
Mehak

(AMAN CHAUDHARY)
JUDGE

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