

219-1

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

CRM-M-51493-2023 (O&M)

Date of decision : 28.11.2023

RAVI KUMAR

...Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Bhupinder K. Bhangu, Advocate for the petitioner.

Mr. Jaiteshwar S. Bhandari, AAG, Punjab,
assisted by ASI Moorta Singh.

MAHABIR SINGH SINDHU, J.

Petition under Section 438 of the Code of Criminal Procedure, 1973 has been filed for grant of pre-arrest bail to the petitioner in FIR No.66 dated 28.09.2023, under Section 420 of the Indian Penal Code, 1860; and Section 63 of the Copy Right Act, 1957, registered at Police Station Dhilwan, District Kapurthala.

2. Allegations are that petitioner along with co-accused was selling counterfeit articles.

3. This Court, on 11.10.2023, granted interim bail to petitioner and relevant part of the same reads as under:-

“Contends inter alia that recovery has already been effected; thus, custodial interrogation of the petitioner is not required.

Notice of motion.

On the asking of the Court, Mr. C.L. Pawar, Addl. A.G., Punjab, accepts notice on behalf of respondent-State. Posted for 28.11.2023.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of arrest, the Arresting Officer

would admit him to interim bail in the present case, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

4. Contends that in terms of the aforesaid order, petitioner has already joined investigation and his custodial interrogation is not required.
5. Above factual position is duly acknowledged by learned State Counsel, on instructions from the police officer present in Court and further stated that custodial interrogation of the petitioner is not required at this stage.
6. In view of above, interim order dated 11.10.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.
10. Pending application(s), if any, shall stand disposed off.

28.11.2023
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(MAHABIR SINGH SINDHU)
JUDGE

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