

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

**CRM-M No.55706 of 2023 (O&M)  
Date of decision : 20.12.2023**

Sahil Kumar

...Petitioner(s)

*Versus*

State of Punjab

...Respondent(s)

**CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU**

Present: Mr. Amaninder Singh Sekhon, Advocate for the petitioner.

Mr. Joginder Pal Ratra, Sr. DAG, Punjab for the respondent.

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**MAHABIR SINGH SINDHU, J.**

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of pre-arrest bail to the petitioner in FIR No.48 dated 06.02.2022 (P-1), under Section 127-A of the Representation of People Act, 1951 (amended in the year 1988), registered at Police Station, City Faridkot, District Faridkot.

(2) As petitioner did not appear before learned trial Court on 06.04.2023 due to some domestic crisis, thereafter, his bailable warrants were issued.

(3) This Court, while issuing notice of motion on 03.11.2023, granted interim bail to petitioner and the same reads as under:-

*“Contends, inter alia, that petitioner could not appear before the learned trial Court on 06.04.2023 due to communication gap with his counsel and as such, non-appearance was not intentional.*

*Notice of motion.*

*Mr. Joginder Pal Ratra, Sr. DAG, Punjab, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter.*

*Posted for 20.12.2023.*

*In the meanwhile, petitioner shall surrender before learned trial Court within 01 week from today. Upon doing so, he be released on interim bail in the present case till the next date of hearing on furnishing bail and surety bonds to the satisfaction of learned Court concerned.”*

- (4) Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.
- (5) Learned State Counsel, on instructions from ASI Thana Singh, submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.
- (6) In view of above, interim order dated 03.11.2023 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 also stand disposed off.

20<sup>th</sup> December, 2023  
Gagan

( MAHABIR SINGH SINDHU )  
JUDGE

|                           |        |
|---------------------------|--------|
| Whether speaking/reasoned | Yes/No |
| Whether Reportable        | Yes/No |