



CRM-M-25191-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-25191-2024
Date of decision: 23.07.2024

MUKESH KUMARPetitioner

Versus

THE STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. K.S. Kang, Advocate for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

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SANJIV BERRY, J. (ORAL)

Mr. Jaswinder Pal Singh Sandhu, Advocate has put in appearance on behalf of the complainant and has filed his vakalatnama. The same is taken on record.

2. By way of present petition filed under Section 438 Cr.P.C, the petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under: -

FIR No.	Dated	Section	Police Station
0124	15.04.2024	406 IPC	City Hoshiarpur Tehsil and District Hoshiarpur

3. Learned counsel for the petitioner submits that in compliance to the order dated 17.05.2024, the petitioner has joined the investigation.

4. During the course of hearing on 17.05.2024, following order had been passed: -



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“ Learned counsel for the petitioner inter alia submits that present is a dispute relating to business transactions and inspite of filing a suit for rendition of accounts, alternate route of registration of FIR has been adopted.

Notice of motion for 23.07.2024.

In the meanwhile, petitioner will join investigation before the Investigating Officer as and when called. In the event of his arrest, the Arresting Officer would admit him on interim bail, till the next date of hearing, on his furnishing adequate bail bonds/surety bonds to his satisfaction. The petitioner is directed to abide by all the conditions as envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”

5. Learned State counsel on instructions from ASI Gurbachan Singh informs the Court that the petitioner has joined the investigation and is neither required for further investigation nor for any custodial interrogation.

6. Learned counsel appearing on behalf of the complainant has opposed the bail application by arguing that considering the allegations levelled in the FIR, the petitioner do not deserve the concession of bail.

7. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 17.05.2024 passed by this Court, interim bail granted vide order dated 17.05.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner

is directed to join investigation as and when required in future by way of



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written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

8. The petition stands allowed.
9. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

23.07.2024
puneet

(SANJIV BERRY)
JUDGE

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |