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**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH****CRM-M-30456-2024**

Date of Decision: 09.07.2024

Aryan Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE GURBIR SINGH**Present:** Mr. Yogesh K. Aneja, Advocate
for the petitioner.

Ms. Avneet, AAG, Punjab.

GURBIR SINGH, J. (ORAL)

1. This is first petition that has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.89 dated 20.06.2023 (Annexure P-1) under Sections 406, 420 and 120-B of IPC, 1860 registered at Police Station Balongi, District SAS Nagar.

2. Vide order dated 25.06.2024 a coordinate Bench of this Court had granted interim bail to the petitioner and directed him to join investigation. The same is reproduced as under:-

“Apprehending his arrest in FIR No.89 dated 20.06.2023 registered for offences punishable under Sections 406, 420 and 120-B IPC at Police Station Balongi, District SAS Nagar; the petitioner has preferred this petition under Section 438 Cr.P.C. seeking pre-arrest bail.

Inter alia contends that the genesis of the FIR in question is actually the dispute arising from the direct selling/re-selling/MLM joining agreement (copy whereof has been appended as Annexure P-2 with the petition); the present FIR has been got lodged in order to exert pressure upon the petitioner for an amicable settlement & the petitioner is willing to join investigation and cooperate therein. In order to buttress his arguments, learned counsel for the petitioner

has relied upon the ratio decidendi of the judgments rendered by the Hon'ble Supreme Court in Arnesh Kumar Vs. State of Bihar, 2014 AIR (SCW) 3930, and reiterated in Md. Asfak Alam Vs. The State of Jharkhand & Anr., 2023 AIR (Supreme Court) 3610.

Notice of motion.

On asking of the Court, Mr. Adhiraj Singh Thind, AAG, Punjab, appears and accepts notice on behalf of the respondent-State.

Adjourned to 09.07.2024.

The petitioner is directed to appear before the Investigating Officer on 28.06.2024 at 11:00 A.M. in concerned Police Station and join investigation. In the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal/surety bond(s) to the satisfaction of the Arresting Officer/Investigating Officer. As and when further called by Investigating Officer, the petitioner shall join the investigation. He shall abide by the condition(s) enumerated under Section 438(2) of the Cr.P.C.”

3. Learned State counsel submits that in compliance of order dated 25.06.2024 petitioner has joined investigation and he is not required for any custodial interrogation.
4. I have heard learned counsel for the parties.
5. In view of the fact that the petitioner has joined investigation and his custodial interrogation is not required, the order dated 25.06.2024 granting interim bail to the petitioner is made absolute. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.
6. Petition stands disposed of accordingly.

09.07.2024
Parveen kumar

(GURBIR SINGH)
JUDGE

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