

208-3

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

**CRM-M-56641-2023 (O&M)
Date of decision : 16.04.2024**

Rohit

...Petitioner(s)

Versus

State of Punjab

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Ms. Livleen Brar, Advocate,
for the petitioner.

Ms. Manjot Kaur, AAG, Punjab.

Mr. Navneet Kumar, Advocate for the complainant.

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.233 dated 13.10.2023, under Sections 388, 389, 420 & 120-B of the Indian Penal Code, 1860, registered at Police Station City Rupnagar, District Rupnagar.

2. Allegations are that petitioner along with other co-accused were running a racket; to lure innocent people and extort money from them.

3. Contends that this Court, granted interim bail to petitioner on 24.01.2024 and in terms thereof, he has already joined the investigation and his custodial interrogation is not required.

4. 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.

5. Heard learned counsel for the parties and perused the paper-book.

6. It is an admitted position that petitioner was granted interim bail by this Court on 24.01.2024 and relevant part of the same is recapitulated as under:-

“Learned State counsel seeks time to have instructions in the matter.

Posted for 14.02.2024.

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

7. It is acknowledged by learned State counsel that in pursuance of above order, petitioner has joined the investigation and his custodial interrogation is not required at this stage.

8. Although, learned counsel for the complainant vehemently opposed the prayer of petitioner, but in view of the fact that State of Punjab is not seeking custodial interrogation; therefore, objection raised by learned counsel for the complainant is rejected.

9. In view of above, interim order dated 24.01.2024 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
10. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
11. 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.
12. Disposed off accordingly.
13. Pending application(s), if any, shall also stand disposed off.

16.04.2024
atulsethi

(MAHABIR SINGH SINDHU)
JUDGE

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