

**IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH.**

CRM-M-64133-2023

Date of Decision:-04.04.2024

Shubam Kumar @ Manna.

.....Petitioner.

Versus

State of Punjab.

.....Respondents.

CORAM:- HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present:- Mr. Jagat Vir Dhindsa, Advocate for the Petitioner.

Ms. Ramta K Chaudhary, Deputy Advocate General,
Haryana.

Mr. Gourav Verma, Advocate for the Complainant.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the petition under Section 438 Cr.PC is for grant of anticipatory bail to the petitioner in case FIR No.224 dated 21.11.2023 registered under Sections 406, 420, 465, 467, 468, 471, 120-B IPC registered at P.S. Division No.8, District Police Commissionerate, Ludhiana.

Learned Counsel for the petitioner submits that pursuant to the interim order dated 05.01.2024 **passed** by this Court, the petitioner has joined the investigation.

The learned State Counsel on instructions submits that the petitioner has joined investigation in terms of orders dated 05.01.2024 but is required for custodial interrogation as he is not disclosing the whereabouts of his co-accused.

Admittedly, the petitioner has joined investigation. No accused can be forced to divulge whereabouts of a co-accused in the absence of any positive evidence with the investigating agency that the accused was aware about the whereabouts but was willfully not disclosing the same. In the instant case there is nothing to suggest that the petitioner is deliberately withholding the information.

In view of the above, interim order dated 05.01.2024 is made absolute.

However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

April 04, 2024
Vinay

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