



CRM-M-34051 of 2019 (O&M) 1

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

334/3

CRM-M-34051 of 2019 (O&M)
Date of Decision: 14.01.2025

Narinder Kumar Goyal

....Petitioner

Versus

State of Punjab

.....Respondents

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Vishal Deep Goyal, Advocate, for the petitioner.

Mr. Amit Rana, Sr. DAG, Punjab

Mr. H. S. Oberoi, Advocate, for the complainant.

MANJARI NEHRU KAUL, J. (Oral)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.3 dated 01.05.2019 under Sections 377, 388, 389, 109, 115, 116, 120-B of the Indian Penal Code, 1860 and under Section 7, 12 and 13(2) of the Prevention of Corruption Act, 1988, registered at Police Station States Special Operation Cell, SAS Nagar, District Intelligence Wing (CID)

2. On 22.08.2019, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court, had granted the concession of interim bail to the petitioner and asked him to join investigation:-



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“Learned counsel for the petitioner relies upon the order dated 06.06.2019 passed in CRM-M-26326-2019, vide which the interim anticipatory bail has been granted to co-accused Rajan Kapur, by passing the following order: -

“Learned counsel for the petitioner inter alia contends that petitioner-Rajan Kapur, happens to be the Superintendent of Jail at Central Jail, Patiala, where high risk criminals/gangsters have been lodged and on account of strict vigil and action, against the errants, on the basis of the letter of the Assistant Director General of Police (Jails), Punjab by placing reliance on the letters vide Annexures P-3 to P-6 claims that the petitioner has been provided extra security as there is every likelihood of threat perception to his life as well as of his family members and that as a revenge, the gangsters have colluded and got a false case registered against the petitioner and nothing is to be recovered from him.

Notice of motion for 03.08.2019.

Meanwhile, in the event of arrest, the petitioner be released on interim bail to the satisfaction of arresting/ Investigating Officer. The petitioner shall, however, join the investigation as and when called for to do so and he shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

Notice of motion for 03.08.2019.

In the meantime, the petitioner is directed to appear before the Investigating Officer within a period of 10 days to join investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

1. He shall make himself available for interrogation by a police officer as and when required;



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2. He shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer; and

3. He shall not leave India without previous permission of the Court.

To be heard along with CRM-M No.26326 of 2019 on the adjourned date.”

3. Learned counsel for the petitioner submits that in compliance of order dated 22.08.2019, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 22.08.2019, is made absolute subject to the conditions laid down in Section 482(2) of the BNSS.

(MANJARI NEHRU KAUL)
JUDGE

January 14, 2025

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Whether speaking : Yes/No

Whether reportable : Yes/No