

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

**CRM-M-29522-2018
Date of decision: 01.11.2018**

Parminder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present:- Mr. Vipin Mahajan, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioner prays for grant of anticipatory bail in FIR No. 29 dated 24.03.2018, registered under Sections 379-B read with Section 34 IPC at Police Station Sadar Gurdaspur, District Gurdaspur.

The operative part of the order dated 17.07.2018, vide which the petitioner has been granted interim bail, is reproduced below:

“Counsel for the petitioner has submitted that vide order dated 10.05.2018, the Additional Sessions Judge has granted interim anticipatory bail and directed him to appear before the Investigating Officer, by passing the following order:-

“3. As per version of the prosecution, present case was registered on the statement of complainant Parminder Kaur wife of Arjinder Singh, who stated before the police that she is posted at SHC Dostpur, CHC, Kalanaur as LHV in the Health Department. She along with Gurjit Kaur ANM were going to Civil Hospital, Gurdaspur on scooty bearing registration no.PB-06-R-3955 for training. After the training, they were coming back on above said scooty, which was being driven by Gurjit Kaur. At about 02:30, when they reached in the

vicinity Mangal Sain Puli, there two hair cut young boys with muffled faces came on motorcycle without number from back side. The pillion rider of the motorcycle snatched the purse from the complainant forcibly and fled away towards the village Jorran Chittran. The purse of complainant contained Samsung mobile of two SIM no.8872091600 and 814963500 and cash Rs.3000/- and keys of the house along with some documents. The mobile make Nokia of Gurjit Kaur was also lying in the purse, which contained two SIM Nos.8872091595 and 9417408714. On the basis of the said statement, the present FIR was registered. 4. I have heard learned APP for State and Sh. A.S. Hundal, Advocate, counsel for accused and police record has been perused. From the submissions made by the parties and from the perusal of police record, I am of the view that the FIR was registered against the unknown person and accused-applicant is not named in the FIR. So, without commenting upon merits of the main case, accused-applicant is directed to join the investigation before the investigating officer within the period of 10 days and then on the arrest, accused-applicant is ordered to be released on interim bail upon furnishing bail bonds to the tune of Rs.50,000/- with one surety in the like amount to the satisfaction of the investigating officer subject to conditions that he will make himself available as and when requires, he will not make any threat to any person for dissuading him from discloser the fact of the case, he will not leave the country. If applicant-accused does not comply the order of this Court, then this order will stands automatically cancelled. Now to come up on 25.05.2018 for further proceedings. Let the police record and investigating officer be summoned for the date fixed.

Pronounced in open Court (Manoj Kumar)
Dt. 10.05.2018 Additional Sessions Judge,
Gurdaspur, UID No.PB0174”

Later on, the said order was extended vide order dated 25.05.2018, however, the application was dismissed on the premise that the petitioner has though, joined the investigation but he could not get the mobile phone and

cash recovered. It is further submitted that there is no other case pending against the petitioner and the petitioner is ready to join the investigation and co-operate throughout.”

Learned counsel for the petitioner submits that the petitioner, in pursuance to the order dated 17.07.2018, has already appeared before the SHO/Investigating Officer and has joined the investigation.

Learned counsel for the State, on instructions from ASI Surinder Singh, has not disputed the factual position and submits that the petitioner has joined the investigation and is no more required for any further investigation.

In view of the above, the petition is allowed and the interim bail granted to the petitioner, vide order dated 17.07.2018, is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

November 01, 2018

Waseem Ansari

**(ARVIND SINGH SANGWAN)
JUDGE**

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No