

206-3 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-371-2019

Date of decision-20.05.2019

Manpreet Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Arora, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, DAG, Punjab assisted by
ASI Kulwinder.

Mr. S.K.Choudhary, Advocate for the complainant.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.71 dated 01.12.2018 under Sections 452, 324, 323 and 148 read with Section 149 of Indian Penal Code (Section 326 IPC added later on) registered at Police Station Purana Shalla, District Gurdaspur. The petitioner apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 09.01.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Heard.

It is alleged that the petitioner along with co-accused caused grievous injuries on the ear of the Rajinder Singh. The petitioner is stated to be student of 10+2.

Notice of motion.

Mr. Karanbir Singh, AAG, Punjab accepts notice on

behalf of the State. Copy of the petition be supplied to State counsel during course of the day.

In the circumstances, petitioner is directed to join investigation and disclose all the facts to the police. Let the police verify his role. In the event of his arrest, he will be released on interim bail to the satisfaction of the Arresting Officer, subject to the compliance of the conditions contained under Section 438(2) Cr.P.C.

List on 31.01.2019.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer. Learned counsel for the petitioner placed reliance upon the compromise arrived at between the parties.

Learned State counsel who is assisted by ASI Krishan Lal does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Krishan Lal further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 09.01.2019 is made absolute. However, it is made clear that this order shall remain operative till the filing of the final report under Section 173 (2) Cr.P.C.

The petition stands allowed.

(MANOJ BAJAJ)
JUDGE

20.05.2019

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No