

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

CRM-M-11418-2019

Date of decision-29.05.2019

Surjit @ Vicky

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Paras Jagga, Advocate for the petitioner.
Mr. Harsimar Singh Sitta, AAG, Punjab assisted by
ASI Mukhtiar Singh.

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.0008 dated 09.01.2019 under Sections 452, 323, 148 and 506 read with Section 149 of Indian Penal Code registered at Police Station Kotwali Patiala, District Patiala. 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 13.03.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner inter alia contends that apart from Section 452 IPC, all the other offences are bailable. Thus, the custodial interrogation of the petitioner is not necessary.

Notice of motion for 29.05.2019.

The petitioner is directed to join investigation with the Investigating Officer on 20.03.2019 at 10.00 a.m. and co-operate therewith. In the event of his arrest, he shall be released on interim bail to the satisfaction of the

Investigating Officer/SHO concerned subject to his joining the investigation and compliance of the provisions enshrined under Section 438(2) Cr.P.C.

The Investigating Agency is directed to examine CCTV footage of the shop of the complainant recorded on the date of the incident and submit a report by way of affidavit of the concerned SHO on the next date of hearing.”

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 State counsel who is assisted by ASI Mukhtiar Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Mukhtiar Singh 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 13.03.2019 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

29.05.2019

vanita

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