

CRM-M-40437-2018

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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

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CRM-M-40437-2018

Date of Decision : 8.4.2019

Surjeet Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE AJAY TEWARI

Present : Ms. Jyoti Gill, Advocate for
Mr. Amit Arora, Advocate
for the petitioner.

Ms. Amarjit Kaur Khurana, DAG, Punjab.

AJAY TEWARI, J. (Oral)

This is a petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.15 dated 16.5.2016 registered under Sections 341/295-A/506/148/149 IPC, 1860 registered at Police Station Sarai Amanat Khan, Amritsar City.

On 17.9.2018, the following order was passed :-

Learned counsel for the petitioner submits that co-accused of the petitioner, namely, Varinder Singh @ Vindo and others, against whom, same allegations are there, have approached this Court by way of filing Criminal Misc. No. M-24053 of 2017 and were released on anticipatory bail, which has been made absolute on 24.08.2017. The petitioner is also ready to join investigation.

Notice of motion for 02.11.2018.

Meanwhile, the petitioner is directed to join investigation and in the event of arrest, he shall be released on interim bail to the satisfaction of the Investigating Officer. He shall

also join the investigation as and when required by the Investigating Officer. He shall also comply with the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, which are as under:-

(i)that the petitioner shall make himself available for interrogation before investigating officer as and when required;

(ii)that the petitioner 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;

(iii)that the petitioner shall not leave India without the prior permission of the Court.

Today counsel for the petitioner has stated that the petitioner has joined the investigation.

Learned DAG on instructions from ASI Balbir Singh has accepted these factual assertions and stated that he is no more required for custodial interrogation.

In the circumstances, keeping in view the entire conspectus of facts, without going into the merits of the case, I do not deem it appropriate to deny the concession of anticipatory bail to the petitioner.

Petition is allowed. Interim order dated 17.9.2018 is made absolute.

Since the main case has been decided, the pending criminal miscellaneous application, if any, also stands disposed of.

(AJAY TEWARI)
JUDGE

8.4.2019
anuradha

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