

203 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21398-2019
Date of Decision: 06.09.2019

Shiv Kumar

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vikas Gupta, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG Punjab.

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MANOJ BAJAJ, J. (ORAL)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.65 dated 14.06.2018 under Section 323/324/341/379/34 IPC, 1860 registered at Police Station Islamabad, District Amritsar. The petitioner apprehend his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 10.05.2019, 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 contends that the complainant and accused are resident of the same locality. He further contends that as per the version of the complainant, the injuries suffered by him were attributed to the co-accused Rajan.

Notice of motion for 06.09.2019.

In the meanwhile, petitioner shall join the investigation and would come present as and when

called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

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 does not dispute this fact that the petitioner has joined the investigation. Learned counsel 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 10.05.2019 is made absolute.

06.09.2019

Janki

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No