

In the High Court of Punjab and Haryana at Chandigarh

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CRM-M-54236-2018 (O & M)

Date of Decision: 12.07.2019

KULWANT SINGH

.....PETITIONER

VERSUS

STATE OF PUNJAB

....RESPONDENT

CORAM: HON'BLE MR. JUSTICE ANUPINDER SINGH GREWAL

Present: Mr. A.D.S. Sukhija, Advocate
for the petitioner.

Mr. Dhruv Dayal, Senior DAG, Punjab.

ANUPINDER SINGH GREWAL, J (ORAL)

The petitioner is seeking anticipatory bail in FIR No.9 dated 14.09.2011, under Sections 302, 201, 218 and 120-B IPC of the Indian Penal Code ('IPC' - for short), registered at Police Station State Crime, Mohali.

Learned counsel for the petitioner contends that the petitioner had been called during the course of investigation and he had joined the investigation. He was neither arrested nor informed later by the investigating agency that he was inquired by it. Challan had not been presented against the petitioner. Some of the accused against which the challan had been presented have been acquitted by the trial Court as the complainant and other eye witnesses have not supported the prosecution case. He further contends that similarly situated co-accused namely Harjinder Singh had been granted anticipatory bail by this Court in CRM-M-2750-2018 and had appeared before the trial Court and he has also been acquitted vide judgment dated 01.02.2019.

A coordinate Bench of this Court, by the order dated 20.12.2018, had directed the petitioner to appear before the Investigating Officer and join the investigation and in the event of his arrest, he was ordered to be released on ad-interim bail to the satisfaction of the Investigating/Arresting Officer, subject to the conditions envisaged under Section 438(2) Cr.P.C.

Learned State counsel, on instructions from ASI Sukhwant Singh, states that the petitioner has joined investigation and is not required for custodial interrogation.

In view of the submissions of learned counsel for the petitioner and keeping in view the fact that the petitioner has joined investigation, the order dated 20.12.2018 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

The petition stands disposed of.

(ANUPINDER SINGH GREWAL)
JUDGE

July 12, 2019

A.Kaundal

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