

207-A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-26756-2019
Date of decision-10.07.2019

Balvir Singh

....Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Ruhani Chadha, Advocate for
Mr. Ankur Bansal, Advocate for the petitioners.

Mr. Hittan Nehra, Addl.AG, Punjab assisted by
HC Sarbjit.

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.108 dated 01.09.2018 under Sections 323, 324, 341, 120-B and 148 read with Section 149 of Indian Penal Code (Section 326 IPC added later on) registered at Police Station Subhanpur, District Kapurthala. 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 13.06.2019 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“Notice of motion for 10.07.2019.
In the meanwhile, the petitioner is directed to surrender before the Arresting/Investigating Officer within seven days. On doing so, he shall be released on interim bail subject to payment of Rs. 25,000/- by way of bank draft in the name of the injured before Area Magistrate/Duty*

Magistrate and further subject to his furnishing personal and surety bonds to the satisfaction of 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. It is further pointed out that the requisite amount also stands desposited in compliance of the order dated 13.06.2019.

Learned State counsel who is assisted by HC Sarbjit does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from HC Sarbjit 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 13.06.2019 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

10.07.2019

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