

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

CRM-M-28879-2019

Date of decision-07.11.2019

Vipan Kumar

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. B.D.Sharma, Advocate for the petitioner.

Mr. Kirat Singh Sidhu, DAG, Punjab.

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.122 dated 12.06.2019 under Sections 323, 324 and 506 read with Section 34 of Indian Penal Code, 1860 (Section 326 IPC added later on) registered at Police Station Rama Mandi, District Jalandhar. 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 10.07.2019 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 originally the FIR was registered for the offences punishable under Sections 323, 324, 506 and 34 IPC and later on offence under Section 326 IPC was added. According to him, a common case was set up by the complainant and the Court of learned Additional

Sessions Judge has extended the concession of anticipatory bail to the co-accused namely Sunil and Veena.

Notice of motion for 07.11.2019.

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 who is assisted by HC Jaswinder Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from HC Jaswinder 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 10.07.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

07.11.2019

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No