

214-4 IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31810-2019
Date of decision-05.11.2019

Sushil Kumar

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Liaqat Ali, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, 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.21 dated 21.01.2018 under Sections 307, 323, 353, 186, 427 and 148 read with Section 149 of Indian Penal Code, 1860 registered at Police Station Division No.7, District Ludhiana. 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 19.08.2019 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 relies upon the order dated 02.07.2019 (Annexure P-3) passed by this Court whereby the co-acused was extended the concession of pre-arrest bail.

Notice of motion for 05.11.2019.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on 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.

Learned State counsel who is assisted by ASI Karnail Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Karnail 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 19.08.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

05.11.2019

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No