

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

CRM-M No. 33678 of 2019

Date of Decision:-09.12.2019

Reshav

...Petitioner

Versus

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present:- Mr. Sandeep 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.70 dated 30.6.2019, under Sections 323, 336, 341, 427, 506, 160, 148 and 149 IPC and Sections 25, 27 of the Arms Act, 1959, registered at Police Station Division No.1, District Police Commissionerate Jalandhar. The petitioner apprehended his arrest at the hands of Police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 21.8.2019 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 order dated 16.08.2019 (Annexure P-3) passed by this Court whereby the concession of pre-arrest bail is

extended to co-accused, namely, Vishal.

Notice of motion for 09.12.2019.

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 Hira Lal does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Hira Lal 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 21.8.2019 is made absolute.

December 09, 2019

Vijay Asija

(MANOJ BAJAJ)

JUDGE

Whether speaking/reasoned

Yes / No

Whether Reportable

Yes / No