

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-41942-2019 (O&M)

Date of decision : 23.10.2019

Ranjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present: Mr. Sunil Saharan, Advocate for the petitioner.

Mr. Surinder Pal Singh Tinna, Additional A.G. Punjab.

ANIL KSHETARPAL, J. (ORAL)

On 04.10.2019, following order was passed by this Court:-

“Petitioner prays for pre-arrest bail in FIR No.292 dated 22.11.2018 registered under Sections 307, 323, 325, 148, 149 IPC at Police Station, City Jagraon, District Ludhiana.

Learned counsel for the petitioner contends that petitioner is not named in the FIR and he has been falsely implicated.

On the other hand, learned State counsel on instructions from ASI Syed Shakil submits that nick name of the petitioner is Pavvi Panda who has given injury on the head of the injured with an iron rod.

Learned counsel for the petitioner emphatically stated that Pavvi Panda is not the petitioner. In fact Pavvi Panda is already in custody.

On a pointed question, investigating officer present in Court has admitted that Pavvi Panda is not the petitioner herein rather he is in custody.

Prima facie the investigating officer has tried to mislead the Court. Hence, a show cause notice is issued under Contempt of Courts Act to show cause as to why the proceedings under the Contempt of Court be not initiated against him. Director General of Police, Punjab is also directed to look into the matter.

Notice of motion.

On the asking of the Court, Mr. S.P.S.Tinna, Additional Advocate General who is present in Court accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 23.10.2019.

In the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned counsel for the State, on instructions from ASI Darshan Singh, has submitted that petitioner has joined investigation, cooperated and not required for further custodial interrogation.

Hence, interim protection granted on 04.10.2019 is made absolute.

Accordingly, the present petition is allowed.

Affidavit of Director General of Police, has been filed today in the Court which is taken on record, praying for 4 weeks more time. Since, roster of petitions under the Contempt of Courts Act is with the different Bench, therefore, let this matter be listed before the Bench dealing with the Contempt of Courts Act for further orders after soliciting orders from the Hon'ble Chief Justice.

Contempt petition be separately numbered and listed on 05.11.2019.

23.10.2019

Pawan

**(ANIL KSHETARPAL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No