

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43881-2019(O&M)

Date of decision: 13.11.2019

Abdul Sami

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE ANIL KSHETARPAL

Present:- Mr.Amit Dhawan, Advocate for the petitioner

Mr. S.P.S.Tinna, Addl. AG, Punjab

Mr. Gulzar Mohd., Advocate for complainant

ANIL KSHETARPAL, J. (ORAL)

On 16.10.2019, following order was passed by this Court:-

“Prayer in both the petitions is to grant anticipatory bail to the petitioners in FIR No.111 dated 30.07.2019 registered under Sections 342, 323, 506, 148, 149 of the Indian Penal Code in which the offences under Sections 325, 379 of the Indian Penal Code were added later on at Police Station Kartarpur, District Jalandhar.

Learned counsel for the petitioners contends that Shakir-petitioner in CRM-M-43721-2019 has also suffered injuries with sharp edged weapon. However, Investigating Agency has recently registered a DDR on 31.08.2019 only. He further submits that there is a delay of 6 days in reporting the matter to the police and, therefore, the case set up by the prosecution is result of

afterthought.

Notice of motion.

On asking of the Court, Mr. Bhupender Beniwal, AAG, Punjab accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 05.11.2019.

In the meantime, in the event of arrest, the petitioners shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioners 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.

A photocopy of this order be placed on the file of other connected case.”

Thereafter, on 5.11.2019, following order was passed:-

“Learned State counsel on instructions from ASI Balwinder Singh has submitted that petitioner has not joined investigation.

Learned counsel for the petitioner submits that as per his instructions, petitioner has joined investigation, however, he is not joining issue on this ground. He submits that petitioner be granted one more opportunity.

Adjourned to 13.11.2019.

In the meantime, petitioner is directed to

join investigation at Police Station Kartarpur, District
Jalandhar on 9.11.2019 at 10:00 A.M.”

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

In view of the above, order dated 16.10.2019 is hereby made
absolute.

Petition stands allowed.

13.11. 2019

rekha

Whether speaking/reasoned

Whether Reportable

(ANIL KSHETARPAL)

JUDGE

Yes / No

Yes / No