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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.3819 of 2020

Date of Decision: 02.03.2020

MADANJIT SINGH ALIAS HALLY.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Pratham Sethi, Advocate
for the petitioner.

Mr. J.S. Ghumman, D.A.G., Punjab.

Mr. Ravi Gakhar, Advocate
for the complainant.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail in case bearing FIR No.295 dated 20.12.2019 registered under Sections 304 IPC at Police Station Sirhind, District Fatehgarh Sahib.

Petitioner is alleged to have chased the vehicle of the deceased along with others upto a certain distance. Thereafter, the vehicle of the deceased was chased by Bolero Jeep. In the very nature of allegation, notice of motion was issued on 29.01.2020 and following order was passed:-

“Learned counsel for the petitioner contends that petitioner is not named earlier in the original version. In the investigation conducted by Special Investigating

Team, the role of the petitioner is that at the relevant time, friend of the petitioner namely Paramjit Singh @ Monu came to him and while boarding his Swift car, the petitioner saw Corolla car of the deceased and he raised some suspicion with regard to some persons with liquor boxes in the car of the deceased.

Petitioner Madanjit Singh @ Hally and Sukhwinder Singh boarded their 'Bolero' jeep and started chasing the car of the deceased. Petitioner along with Paramjit Singh also started chasing the car of the deceased. The 'Swift' car of the petitioner was hit by the car of the deceased and thereafter, there was no chasing by Swift car.

Notice of motion for 02.03.2020.

Mr. Ravi Gakhar, Advocate appears on behalf of complainant.

Till the next date of hearing, petitioner may not be arrested.”

Learned State counsel on instructions from SI Avtar Ali submitted that there was no direction for the petitioner to join the investigation, but in all fairness, the Investigating Officer has allowed the petitioner to join the investigation. Nothing has been recovered from the petitioner as Swift car belongs to Paramjit Singh, who is not an accused in the present case.

In view of aforesaid position, it would be just and expedient to allow the petitioner to join the investigation. The petition is allowed. Petitioner is directed to appear before the

SHO/Investigating Officer to join investigation on 07.03.2020 and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;
- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

March 02, 2020
Atik

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned	Yes/No
Whether reportable	Yes/No