

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.11966 of 2020

Date of Decision: July 21, 2020

Naveen Kumar @ Rinku

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sandeep Sharma, Advocate,
for the petitioner.

Mr. M.S.Nagra, AAG, 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.0014 dated 13.02.2020, under Section 379 IPC and Section 52-A Wakf Act, 1995, registered at Police Station, Haryana, District Hoshiarpur. 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 01.05.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Prayer is for grant of pre-arrest bail to the petitioner in FIR No.14 dated 13.02.2020, registered under Section 379 IPC and Section 52A of the Waqf Act at Police Station Haryana, District Hoshiarpur.

Learned counsel for the petitioner relies upon order passed by this Court in CRM-M-10849-2020 titled as “Sukhwinder Singh v. State of Punjab” on 16.03.2020, granting interim protection to co-accused Sukhwinder Singh.

Heard learned counsel for the parties through video conferencing.

Notice of motion for 21.07.2020.

Mr.Gaurav Garg Dhuriwala, Deputy Advocate General, Punjab, accepts notice on behalf of the State.

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 the Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 458(2) Cr.P.C.

To be heard along with CRM-M-10849-2020 for the date fixed.”

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 does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Sanjeev Kumar, 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 01.05.2020 is made absolute.

Petition stands disposed off.

July 21, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No