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

CRM-M No. No.12103 of 2020 (O&M)
DATE OF DECISION: 22.07.2020

Amit Kumar @ Shanga

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM:- HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Gursharan Singh, Advocate for the petitioner

Mr. Pawan Sharda, Sr. DAG, Punjab

..

ALKA SARIN, J.: (Oral)

Heard through video conferencing.

This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in FIR No.52 dated 08.05.2019 under Sections 323, 324, 341,307,148,149 Indian Penal Code, 1860 and Section 25 of the Arms Act, 1959 registered at Police Station Div. No.5, Jalandhar.

On 11.05.2020, the following order was passed:-

“Heard through video conferencing.

Learned counsel for the petitioner contended that there is a delay of 8 days in lodging of the FIR. He has further contended that the injury attributed to the petitioner is a simple injury.

Notice of motion returnable 22.07.2020.

On the asking of the court, Ms. Monika Jalota, DAG, Punjab, has joined the session and accepts notice. A complete copy of the petition already stands furnished to the learned DAG. She seeks time to get instructions.

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Meanwhile, the petitioner shall join the investigation and would come present as and when called for. In the event of arrest, the petitioner shall be admitted to bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall abide by all terms and conditions as specified under section 438(2) of the Criminal Procedure Code, 1973.”

Learned counsel for the State, on instructions from ASI-Sudesh Kumar, has stated that the petitioner has since joined investigation and recovery of a kirpan has also been made and that he is no longer required for further investigation as of now.

In view of the above, the order dated 11.05.2020 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

Disposed of accordingly.

(ALKA SARIN)
JUDGE

22.07.2020
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<u>NOTE:</u> Whether speaking/non-speaking: Speaking Whether reportable: YES/NO
