

202 IN THE HIGH COURT OF PUNJAB AND HARYANA
 AT CHANDIGARH

CRM-M-12331 of 2020

Date of Decision : 14.08.2020

Navdeep Kumar

...Petitioner

Versus

State of Punjab

...Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Siddharath Pandit, Advocate
 for the petitioner.

Mr. Mehardeep Singh, Addl. A.G. Punjab.

Harsimran Singh Sethi, J. (Oral)

Status report filed by Mr. Harleen Singh, Deputy

Superintendent of Police is taken on record.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court on 29.05.2020.

Learned State counsel on instructions from ASI Surinder Singh, coupled with averments made in the status report states that the petitioner has already joined the investigation and is also cooperating in the same. Learned State counsel concedes that as per the status report, the petitioner has only conspired and there is no allegation against the petitioner of causing actual injuries suffered by the victim on the date of incident.

Interim order dated 29.05.2020 is as under:-

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in respect of FIR No. 35 dated 17.02.2020, under Sections 307, 506 148, 149 IPC and Section 25/54/59 of Arms Act, registered at Police Station City SBS Nagar, Punjab.

Learned counsel for the petitioner states that petitioner was not named in the FIR and no role has been attributed to the petitioner in the FIR. Learned counsel for the petitioner further states that the gun shot which hit the victim, was fired by Mandeep Singh Manna and, therefore, no role has been attributed to the petitioner and the petitioner has only been roped in on the basis of a statement of his co-accused, hence, petitioner is entitled for the concession of anticipatory bail. Learned counsel for the petitioner further states that nothing is to be recovered from the petitioner and he is ready to join the investigation.

Mr. Ajay Pal Singh Gill, learned Deputy Advocate General, Punjab, who has also joined the proceedings through video conference, states that co-accused has named the petitioner to be involved in the said incident where Sarandeep Singh @ Sunny was seriously injured. Learned counsel for the State concedes that no role has been attributed to the petitioner and nothing is to be recovered from the petitioner but the petitioner be directed to join the investigation forthwith. Petitioner is directed to join the investigation forthwith.

In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer/Investigating Officer on his furnishing bail bonds/surety bonds to his/her satisfaction subject to the following conditions :

- (i) That he shall make himself available for interrogation by the police officer as and when required.
- (ii) He 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 the said facts to the Court or to any police officer.

(iii) That he shall not leave India without prior permission of the Court.

(iv) That he shall abide by all the conditions as enshrined under Section 438(2) Cr.P.C.

Adjourned to 11.08.2020.”

In view of the above, the order dated 29.05.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

Present petition stands disposed of.

August 14, 2020
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(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No