

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(201)

CRM No. M-12487 of 2020

Date of Decision : -19.08.2020

Manjot Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- Mr. Rakesh Sobti, Advocate for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G., Punjab.

(through video conferencing)

Harsimran Singh Sethi, J. (Oral)

Petitioner is seeking anticipatory bail in FIR No. 198 dated 21.10.2019, under Sections 307, 148, 149 IPC and Section 25 and 27 of the Arms Act, 1959 registered at Police Station Gate Hakima, District Police Commissionerate, Amritsar.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court on 02.06.2020. Order dated 02.06.2020 is as under:-

“The petition has been taken for hearing through video conference due to Covid-19 pandemic.

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in respect of FIR No. 198 dated 21.10.2019, under Sections 307, 148, 149 IPC and

Section 25 and 27 of the Arms Act, 1959 registered at Police Station Gate Hakima, Police Commissionerate, Amritsar.

Learned counsel for the petitioner states that as per the allegations in the FIR, no role has been attributed to the petitioner and no injury has been caused by the petitioner.

On the last date of hearing, the State was directed to ascertain as to whether the petitioner is required in any other case or not ?

Mr. Ajay Pal Singh Gill, learned Deputy Advocate General, Punjab, who has also joined the proceedings through video conference, states that keeping in view the instructions, which he has received from ASI Joginder Singh, there is no other case pending against the petitioner.

I have heard learned counsel for the parties and have gone through the record carefully.

It is conceded by the State counsel that no role or injury has been attributed to the petitioner and only allegation as per the FIR is that the petitioner was part of the group and no recovery is to be effected from the petitioner. It is further admitted by learned counsel for the respondent-State that petitioner is not wanted in any other case, hence in the facts and circumstances of this case, interest of justice will be served in case petitioner is directed to join the investigation.

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) That 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 19.08.2020.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Aman Sharma, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 02.06.2020 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.

The petition stands disposed of.

August 19, 2020
kanchan/naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking? Yes
Whether reportable? No