

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

(202)

CRM-M-13187-2020

Date of Decision: August 10, 2020

Satwinder Singh Gill @ Laddu

.. Petitioner

Versus

State of Punjab

.. Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Harpinder Singh Jalal, Advocate, for the petitioner.

Mr. Avtar Singh Sandhu, Addl. A.G., Punjab.

HARSIMRAN SINGH SETHI, J.(ORAL)

The petitioner is seeking anticipatory bail in FIR No. 182 dated 30.08.2019 under Sections 379-B IPC and Section 25 of the Arms Act, 1959 (added later on) registered at Police Station City South, District Moga.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by this Court dated 29.05.2020. Order dated 29.05.2020 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.182 dated 30.08.2019 under Section 379-B IPC and Section 25 of Arms Act, 1959 registered at Police Station City South, District Moga.

Learned counsel for the petitioner submits that the petitioner has only been implicated in the FIR keeping in view the additional statement dated 18.12.2019 (Annexure P/2)

made by the complainant. Learned counsel for the petitioner argues that the only statement made is that the complainant was stopped and his car was taken away forcibly. Learned counsel for the petitioner submits that the said car has already been recovered from the co-accused and no recovery is to be effected from the petitioner and the petitioner is ready to join investigation.

Notice of motion for 10.08.2020.

Mr. Ajay Pal Singh Gill, DAG, Punjab, who has joined the video proceedings, on service of advance copy of the petition on behalf of State of Punjab accepts notice.

Learned State counsel concedes that no recovery is to be effected from the petitioner, but the petitioner should join investigation forthwith.

Learned counsel for the petitioner states that the petitioner will immediately join the investigation and will fully cooperate with the Investigation Agency/Investigating Officer.

Keeping in view the facts and circumstances noticed before, the 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 the satisfaction of the Arresting Officer/Investigating Officer 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. ”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Major Singh, Police Station City South, Moga 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.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

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 cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

August 10, 2020
harsha/naresh.k

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