

201(1)

IN THE PUNJAB AND HARYANA HIGH COURT AT CHANDIGARH

CRM-M-14528-2020

Date of Order: 11.08.2020

PRINCE KUMAR MATTU

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU.

Present: Mr. Gursimran Singh Bawa, Advocate for petitioner.
Mr. Luvinder Sofat, AAG, Punjab for respondent.

MAHABIR SINGH SINDHU, J.

Present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 (for short 'Cr.P.C.') for grant of anticipatory bail to petitioner, in case FIR No.55 dated 02.03.2020, under Sections 307, 427, 148, 149 IPC and Section 25 of Arms Act, registered at Police Station Gate Hakima, District Police Commissionerate, Amritsar.

On 09.06.2020, a Coordinate Bench of this Court passed the following order:

“Learned counsel for the petitioner contends that the petitioner has been attributed a lalkara. Present is a no injury case and in any case, there has been a compromise between the parties on 04.03.2020 (Annexure P-2). Affidavits of the complainant and eye-witness are also appended as Annexures P-3 and P-4 respectively. Counsel contends that the petitioner is ready and willing to join investigation and cooperate with the same.

Notice of motion.

On the asking of the Court, Mr. H.S. Grewal, Addl.A.G.,

Punjab, accepts notice on behalf of the State of Punjab.

Let the petitioner appear before the Investigating Officer at police station Gate Hakima, District Police Commissionerate Amritsar, on 17.06.2020 at 10.00 AM, to join investigation.

In case the petitioner is arrested, he shall be released on bail to the satisfaction of Arresting Officer, subject to the conditions as contained in Section 438 (2) of the Code of Criminal Procedure. Petitioner shall appear before the Investigating Officer as and when required.

To come up for further consideration on 11.08.2020.”

Contents that in terms of the order dated 09.06.2020, the petitioner has already joined investigation.

Learned State counsel, on instructions from ASI Raj Kumar has acknowledged the above factual position and stated that the petitioner has joined investigation and nothing incriminating has been recovered, therefore, his custodial interrogation is not required.

In view of the above, petition is allowed. Order dated 09.06.2020 granting interim bail to the petitioner, is made absolute, subject to the provisions of Section 438(2) Cr.P.C.

However, it is made clear that the petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.

The above observations may not be construed as an expression of opinion on the merits of the case.

11 August, 2020

rajender

**(MAHABIR SINGH SINDHU)
JUDGE**

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