

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16227-2020

Date of Decision: September 22, 2020

Amit Mattu & others

...Petitioners

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Prashant Vashisth, Advocate,
for the petitioners.

Mr. Sukhbeer Singh, AAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by three petitioners under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No. 50 dated 12.05.2020, under Sections 452, 323, 427, 506, 148, 149, 188, 269 and 270 IPC, 1860, registered at Police Station, Lambran Jalandhar Rural. The petitioners apprehended their arrest at the hands of police in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 23.06.2020, whereby petition qua petitioners No.1 and 2, was dismissed as withdrawn and while issuing notice of motion to the respondent-State qua petitioner No.3-Jagpreet Singh, the interim protection was extended to him. The said order reads as under:-

“Case taken up through video conferencing.

Learned counsel for the petitioners seeks unconditional withdrawal of the present petition qua petitioners No.1 and 2.

Permitted to do so. Accordingly, the present petition qua petitioner No.1-Amit Mattu and petitioner No.2-Pardeep Kumar @ Billa is ordered to be dismissed as withdrawn.

So far as the case of petitioner No.3-Jagpreet Singh is concerned, notice of motion to Advocate General Punjab.

Ms. Rashmi Attri, Asstt. A.G., Punjab, accepts notice on behalf of the respondent-State and Mr. Rishu Mahajan, Advocate, puts in appearance on behalf of the complainant.

For arguments, adjourned to 07.08.2020.

In the meanwhile subject to petitioner No.3-Jagpreet Singh joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438(2) Cr.P.C., in the event of his arrest in FIR No.50 dated 12.05.2020 registered under Sections 452/323/427/506/148/149/188/269/270 of Indian Penal Code, 1860 at Police Station Lambran Jalandhar-Rural, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.”

Learned counsel for petitioner No.3 further contends that in deference to the said order, petitioner No.3 submitted himself before the police and joined the investigation. According to him, petitioner No.3 cooperated with the police authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel does not dispute this fact that petitioner No.3 has joined the investigation. Learned counsel, on instructions from ASI Naranjan Singh, further states that petitioner No.3-Jagpreet Singh, is not required for custodial interrogation for the time being.

Considering above, the petition qua petitioner No.3-Jagpreet Singh is allowed and the interim bail granted by this Court vide order dated 23.06.2020 is made absolute.

September 22, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable:	Yes/No