

In the High Court of Punjab and Haryana, at Chandigarh

Criminal Misc. No. M-20921 of 2020 (O&M)

Date of Decision: 24.08.2020

Pawandeep Singh alias Charanpreet Singh

... Petitioner(s)

Versus

State of Punjab

... Respondent(s)

CORAM: Hon'ble Mr. Justice Anil Kshetarpal.

Present: Mr. Deepak Verma, Advocate
for the petitioner.

Mr. Amit Mehta, Senior Deputy Advocate
General, Punjab for the respondent.

Anil Kshetarpal, J.

CRM-20119-2020

As prayed for, the application is allowed. The offence under Section 411 IPC, which is stated to have been added subsequently vide DDR No18 dated 08.07.2020, is permitted to be incorporated in the prayer clause of the petition.

CRM-M-20921-2020

On 06.08.2020, the following order was passed by this Court:-

“The petitioner prays for grant of pre-arrest bail in a criminal case arising from FIR No. 125 dated 4.7.2020 registered under Section 341, 323, 427, 506, 379B IPC at Police Station Garhshankar, District Hoshiarpur, Punjab.

In a nutshell, the case of the prosecution has been noticed by the learned Sessions Judge, in para 2 of the order,

which is extracted as under:-

“2. The facts of the case are that Ranjit Singh complainant gave his statement to the police that he is working in the raiding party of N.K.Traders Company who is having contract of liquor vends. On 4.7.2020 at about 7.00 PM, he alongwith Ashwani Kumar and Binder were going on their vehicle No.PB-10-GK-0417 after collecting cash amount from the liquor vend shops. They were surrounded by Sukhwinder Singh, Pawandeep Singh and Gurjinder Singh. They started stone pelting on their vehicle and stopped them. They gave pushes to him and forcibly snatched cash of ₹ 25,000/- from him and managed to escape from there. With these allegations the present FIR has been registered.”

Learned counsel for the petitioner contends that the entire family of the petitioner is sought to be indicted. He further submits that petitioner's father has already been arrested and recovery of ₹ 25,000/- allegedly snatched has already been made.

Notice of motion.

At the request of the Court, Mr. V.G.Jauhar, Sr. DAG, Punjab accepts notice on behalf of the State of Punjab and prays for some time.

Adjourned to 24.8.2020.

Keeping in view the facts of the case, it is considered appropriate that let the petitioner join investigation.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

Learned State counsel, on the instructions from Inspector Balwinder Singh, has submitted that the petitioner has joined investigation, co-operated and is not required for further custodial interrogation.

Keeping in view the aforesaid facts, the present petition is allowed and the interim pre-arrest bail granted to the petitioner on 06.08.2020 is made absolute.

In view of the order passed in Criminal Misc. No. 20119 of 2020, the pre-arrest bail granted to the petitioner shall also be applicable qua Section 411 IPC.

(Anil Kshetarpal)
Judge

August 24, 2020
“DK”

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No