

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

201

**CRM-M-22253-2020
Date of Decision: 23.11.2020**

SAHIL SHARMA **.... Petitioner**

VS

STATE OF PUNJAB **.... Respondent**

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. J.S. Dadwal Advocate,
for the petitioner.

Mr. Saurav Khurana DAG, Punjab.

MANOJ BAJAJ, J. (Oral)

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.0047 dated 02.03.2019, under Sections 325, 326, 341, 307, 148, 149, 120-B & 420 (added later on) IPC, 1860, registered at Police Station, Division No.6, District Ludhiana. The petitioner apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 18.08.2020 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the alleged occurrence took place in March, 2019 and in the FIR, the name of the petitioner was not mentioned. It is pointed out that the complainant, namely, Sushil Kumar Goel had dispute with Gaurav Handa and Deepak and according to his version, six unknown persons had assaulted him. He has submitted that the petitioner has been indicted after 8 months on the basis of the alleged

call details with other co-accused, who have been released on anticipatory bail. According to him, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 23.11.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner further contends that in deference to the said order, the petitioner submitted himself before the police and joined the investigation. According to him, the petitioner 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 the petitioner has joined the investigation. Learned counsel, on instructions from ASI Lakhvir Singh, further states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 18.08.2020 is made absolute.

23.11.2020
monika*

(MANOJ BAJAJ)
JUDGE

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