

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
208

CRM-M-24294-2020
Date of Decision: 23.11.2020

SUNIL KUMAR

....Petitioner

VS

STATE OF PUNJAB AND ANOTHER

....Respondents

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. R.K. Arya, 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. 0137 dated 09.07.2020, under Sections 498-A, 406, and 323 IPC 1860 registered at Police Station Division 2, District Pathankot. 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 26.08.2020 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Inter alia contends that petitioner is ready to settle the issue with respondent No.2.

Notice of motion for 23.11.2020.

In the meanwhile, petitioner will join the investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail in the present case till the next date of hearing on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as envisaged 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 Ram Lal, 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 26.08.2020 is made absolute.

23.11.2020
monika*

(MANOJ BAJAJ)
JUDGE

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