

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

Criminal Misc.-M No.24919 of 2020
Date of Decision: September 17, 2020

Kuldeep

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Nidhi Bansal, Advocate for
Ms. Madhur Sharma, Advocate,
for the petitioner.

Mr. Sidakmeet Sandhu, AAG, 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.123 dated 20.06.2020, under Sections 307, 452, 324, 427, 506, 148 and 149 IPC, 1860, registered at Police Station, Jodhewal, District Ludhiana. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 28.08.2020, 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 injuries allegedly suffered by the victim were simple in nature and while extending the benefit of pre-arrest bail to the co-accused on 28.07.2020, it was observed by this Court that the commission of offence punishable under Section 307 IPC is debatable. Learned counsel has further pointed out that the

petitioner was not named in the FIR and as per prosecution, he was standing outside the clinic of the victim and raised exhortation, whereupon the other co-accused caused injuries to the victim/complainant.

Notice of motion for 17.09.2020.

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. To be heard along with CRM-M-20586-2020.”

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 Surinder Kumar, 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 28.08.2020 is made absolute.

Petition stands disposed off.

September 17, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No