

S.No.104

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

CRM-M-27203 of 2020 (O&M)

Date of Decision:10.09.2020

Raju Singh alias Rajdeep Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

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IN VIRTUAL COURT
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CORAM:- HON'BLE MR. JUSTICE RAJBIR SEHRAWAT

Present:- Mr. Swarn Tiwana, Advocate for the petitioner.

Rajbir Sehrawat, J.(Oral)

The present petition has been filed by the petitioner under Section 438 Cr.P.C for grant of anticipatory bail in case FIR No.07 dated 21.01.2020 registered under Sections 406, 420 IPC at Police Station Khamano District Fatehgarh Sahib.

It is contended by learned counsel for the petitioner that the case against the petitioner is based upon a pure misunderstanding. The petitioner has not committed any crime as alleged in the present FIR. Otherwise also, the petitioner was granted concession of anticipatory bail by the Court below itself. However, due to unfortunate situation, arising on account of death of father of the petitioner, he could not join the investigation. The Court below has dismissed his application seeking anticipatory bail. However, the petitioner is willing and ready to join the investigation now. Hence, the petitioner deserves to be protected against his arrest.

Notice of motion.

Mr. Ramdeep Partap Singh, DAG, Punjab, accepts notice on behalf of the State.

Learned State Counsel, on instructions from ASI Pyara Singh, submits that there are specific allegations against the petitioner. However, it is not disputed that even the Court below had granted anticipatory bail to the petitioner in the first instance. However, his application seeking anticipatory bail was, ultimately, dismissed only on account of the petitioner not having joined the investigation.

In view of the above submissions, but without commenting upon merits of the case, the present petition is allowed. The petitioner is granted concession of anticipatory bail. Therefore, it is directed that in case of his arrest, the petitioner shall be released on bail subject to his furnishing bail bonds/ surety bonds to the satisfaction of Arresting/ Investigating Officer. However, it is further directed that 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.

September 10, 2020
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(RAJBIR SEHRAWAT)
JUDGE

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No