

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

202

CRM-M-32139 of 2020

Date of Decision:02.12.2020

Raman

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Arun Sharma, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

AMOL RATTAN SINGH, J. (ORAL)

All cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

By this petition, the petitioner seeks the concession of 'anticipatory bail', under the provisions of Section 438 of the Cr.P.C., upon FIR no.0237, dated 13.08.2020, having been registered at Police Station Sirhind, District Fatehgarh Sahib, alleging therein the commission of offences punishable under Sections 457 and 380 of the IPC.

On 23.11.2020, the following order had been passed:-

“All the cases listed today have been taken up for hearing by way of video conferencing because of the situation existing due to the COVID-19 pandemic.

Despite the petitioner having been admitted to interim bail vide an order passed on 12.10.2020 (upon him joining investigation), learned State counsel submits that as per his instructions he has not joined investigation.

Learned counsel for the petitioner seeks time to take

instructions in that regard.

It is to be specifically noticed here that in the said order, this court has specifically directed that in case the petitioner is not joined in the investigation by the arresting/investigating officer despite going there to do so, he would appear before the Illaqa Magistrate concerned, who would then summon the investigating officer and ensure that the petitioner is joined in the investigation.

Hence obviously, counsel for the petitioner would take instructions bearing that fact in mind.

Adjourned to 02.12.2020.

Interim order to continue till then.”

Today learned State counsel submits, on instructions from ASI Amarjit Singh, that the petitioner joined investigation on November 30, 2020 and that his custodial interrogation is not required.

That being so, without making any comment on the actual merits of the case, whatsoever, since the investigating agency itself does not require the custodial interrogation of the petitioner, this petition has in fact rendered infructuous and is disposed of as such.

However, if the petitioners' custodial interrogation is required at any stage hereinafter, in the context of the FIR in question, he would be given 7 days notice before arrest, duly shown to be served upon him.

Naturally, if the complainant is aggrieved in any manner, of lack of proper investigation, he/she would be always at liberty to avail of his/her remedy as per law.

December 02, 2020

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(AMOL RATTAN SINGH)

JUDGE

Whether speaking/reasoned

Yes

Whether Reportable

No