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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.32588 of 2020

Date of Decision: 16.11.2020

KIRANDEEP SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. Divjyot S. Sandhu, Advocate
for the petitioner.

Mr. Rana Harjasdeep, D.A.G., Punjab.

RAJ MOHAN SINGH, J.(Oral)

The case has been taken up for hearing through video conferencing.

The petitioner seeks grant of anticipatory bail in case bearing FIR No.81 dated 16.07.2020, registered under Section 21(1) of the Mines and Mineral Act, 1957, Section 192(A) of Motor Vehicles Act, 1988, Section 51(b) of the Disaster Management Act, 2005, Section 3 of the Epidemic Disease Act, 1897 and Sections 188, 269, 270, 379 IPC at Police Station Begowal, District Kapurthala.

On 14.10.2020, following order was passed by this Court:-

"The case has been taken up for hearing through

video-conferencing.

Learned counsel for the petitioner contends that the petitioner has not been named in the FIR at one point of time. Interim bail was granted to the petitioner by the Court of Session vide order dated 25.8.2020 with a direction to join the investigation within a period of seven days. Petitioner could not join the investigation, owing to his ill health. Main accused, namely, Balkar Singh @ Bholu has been granted anticipatory bail vide order dated 5.8.2020. No recovery is to be effected from the petitioner.

Notice of motion for 16.11.2020.

Till the next date of hearing, arrest of the petitioner shall remain stayed.”

Admittedly, petitioner was granted interim bail at one point of time by the Court of Sessions vide order dated 25.08.2020. The petitioner could not join the investigation due to his ill-health. Arrest of the petitioner was stayed by this Court vide order dated 14.10.2020.

In view of aforesaid position, it would be just and appropriate to direct the petitioner to appear before the SHO/Investigating Officer to join investigation on 25.11.2020 and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

- i) that the petitioner shall make himself available for interrogation before the Investigating Officer

as and when required;

- ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;
- iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

With the aforesaid directions, the petition is allowed.

(RAJ MOHAN SINGH)
JUDGE

November 16, 2020
Atik
Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No