

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

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CRM-M-38792-2019

Date of decision : 28.1.2020

HARPREET SINGH

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

Coram: HON'BLE MR. JUSTICE MANOJ BAJAJ.

Present : Mr. Vivek Salathia, Advocate, for the petitioner.

Ms. Monika Jalota, 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.0050 dated 05.10.2018 under Section 341, 379, 295, 323, 506, 332, 148, 149 of Indian Penal Code, 1860 and Sections 25, 27 of Arms Act registered at Police Station Mohkampura, Police Commissionerate, Distirct Amritsar. 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 12.09.2019 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 petitioner was not named in the FIR and as per the allegations approximately 10 unknown persons including ladies caused the alleged injuries. Further, it is pointed that co-accused of the petitioner have already been extended the concession of pre-arrest bail.

Notice of motion for 28.01.2020.

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.

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 who is assisted by ASI Kulwinder Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Kulwinder Singh 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 12.09.2019 is made absolute.

(MANOJ BAJAJ)
JUDGE

28.1.2020
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Speaking/Reasoned	:	Yes/No
Reportable	:	Yes/No