

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.44946 of 2019
Date of Decision: February 25, 2020

Babbal

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Manmeet Singh Rana, Advocate,
for the petitioner.

Mr. Prabhjot Singh Walia, 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.101 dated 03.09.2019, under Sections 353, 186, 189, 506, 509 read with Section 34 IPC, 1860, registered at Police Station, Bhargo Camp, Jalandhar. 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 22.10.2019, 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 challaned for traffic violation and at that time some argument took place between the petitioner and the police officer. He submits that later on the petitioner apologized for his conduct, however, despite that the FIR No.101 dated 03.9.2019 was registered for the offence punishable under Sections 353, 186, 189, 506, 509, 34 IPC at Police Station Bhargo Camp, Jalandhar. Learned counsel submits that in the

given facts the custodial interrogation of the petitioner may not be required.

Notice of motion for 25.2.2020.

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 Som Nath, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Som Nath, 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 22.10.2019 is made absolute.

Petition stands disposed off.

February 25, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No