

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.45938 of 2019

Date of Decision: February 25, 2020

Maninderjit Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vinay Kumar, 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.0094 dated 17.09.2019, under Sections 323, 324, 379, 148 and 149 IPC, 1860, registered at Police Station, Dear Baba Nanak, Tehsil Batala, District Gurdaspur. 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 29.10.2019, 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 present FIR No.94 dated 17.09.2019 was initially registered by the complainant for the offences punishable under Sections 323, 324, 379, 148 and 149 of the Indian Penal Code, 1860 and subsequently, the offence punishable under Section 326 IPC was also added. He submits that prior to registration of FIR No.94 dated 17.09.2019, FIR No.91 dated 13.09.2019 was registered against the complainant on the statement of co-

accused Anmoldeep Singh under Sections 307, 379, 148 and 149 of the IPC and Sections 25 and 27 of the Arms Act. Further, reliance is placed upon the order dated 17.10.2019 (Annexure P-4), whereby the co-accused of the petitioner has been extended the concession of interim bail.

Notice of motion for 25.02.2020.

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.

To be heard along with CRM-M-44170-2019.

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 Daljit Singh, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from ASI Daljit 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 29.10.2019 is made absolute.

Petition stands disposed off.

February 25, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No