

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

216-1

CRM-M-48192 of 2019

Date of Decision: 27.01.2020

Harshdeep Singh

.....Petitioner

versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR.JUSTICE MANOJ BAJAJ

Present: Mr.S.S.Behl, Advocate for the petitioner.

Mr.P.S.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.47 dated 02.03.2019 under Sections 307, 325, 326, 341, 148, 149 and 120-B IPC (Section 420 IPC added later on), registered at Police Station Division No.6, District Ludhiana. 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 14.11.2019 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 complainant had not named the petitioner in the FIR despite the fact that petitioner was previously known to him. Further reliance has been placed upon the order dated 31.10.2019 passed by this Court in CRM-M-19509- 2019.

Notice of motion for 27.1.2020.

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-29059-2019.”

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 SI Sulkhan does not dispute this fact that the petitioner has joined the investigation. He on instructions from SI Sulkhan further submits 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 14.11.2019 is made absolute.

27.01.2020

Anjal

[MANOJ BAJAJ]
JUDGE

Whether speaking/reasoned :
Whether Reportable :

Yes/No
Yes/No