

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-49876-2019

Date of Decision: 22.01.2020

Dalbir Singh @ Dulla

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Yaseen Sethi, Advocate for
Mr. H.S. Jakhal, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.0064 dated 09.05.2019 under Sections 392, 341, 34 IPC, 1860 and Sections 25 and 27 Arms Act, 1959, registered at Police Station Arniwala, District Fazilka. He apprehended his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 25.11.2019 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 has placed reliance upon order dated 09.09.2019 (Annexure P-3) passed by this Court in CRM-M-38233-2019 whereby concession of interim pre arrest bail has been granted to co-accused.

Notice of motion for 22.01.2020.

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.

To be heard along with CRM-M-38233-2019.”

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 Iqwal Singh does not dispute this fact that the petitioner has joined the investigation. Learned counsel on instructions from ASI Iqwal 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 25.11.2019 is made absolute.

22.01.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No