

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

**207**

**CRM-M-49918-2019**

**Date of decision: 07.02.2020**

Kulwinder Singh @ Kulwant Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

**CORAM: HON'BLE MR. JUSTICE ARUN KUMAR TYAGI**

Present : Mr. A.P.S.Sandhu, Advocate  
for the petitioner.

Mr. Sandeep Singh Deol, D.A.G. Punjab  
for respondent-State.

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**ARUN KUMAR TYAGI, J (ORAL)**

Prayer in this petition is for grant of anticipatory bail to the petitioner in case FIR No.257 dated 24.09.2019 registered under Sections 382, 341, 323, 506 read with Section 34 of the Indian Penal Code, 1860 at Police Station Sadar, District Police Commissionerate Amritsar, Amritsar City.

Vide order dated 10.12.2019 passed by this Court, the petitioner was granted interim anticipatory bail with direction to join the investigation.

Learned State Counsel has appeared on behalf of the respondent-State and opposed the bail application.

I have heard learned counsel for the petitioner as well as learned State counsel and gone through the record.

Learned Counsel for the petitioner has submitted that the petitioner was granted interim anticipatory bail earlier by learned Additional Sessions Judge, Amritsar which was subsequently declined on the ground that petitioner did not cooperate in the investigation with the Police for recovery of gold chain and mobile phone. In the FIR

specific attribution of giving of blow with shocker on the head of the complainant was made to the petitioner but general and vague allegations were made regarding snatching of the gold chain, mobile phone and amount of Rs. 12,000/-. Co-accused Lovejeet Singh has been granted bail by learned Additional Sessions Judge, Amritsar. The petitioner has joined the investigation. Nothing is to be recovered from him and his custodial interrogation is not required.

Learned State counsel, on instructions from ASI Rajinder Kumar, has acknowledged that in compliance with order dated 10.12.2019 passed by this Court, the petitioner has joined the investigation and also admitted that his custodial interrogation is not required for effecting any further recovery.

In view of the facts and circumstances of the case, nature of accusation and the fact that custodial interrogation of the petitioner is not required in the case but without expressing any opinion on the merits of the case, I am of the considered view that the petitioner deserves the concession of anticipatory bail.

Therefore, the petition is allowed and order dated 10.12.2019 granting interim bail to the petitioner is made absolute. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions enumerated in Section 438 (2) of the Cr.P.C., failing which the protection of anticipatory bail order shall not be available to him.

**07.02.2020**

Rajeev (rvs)

**(ARUN KUMAR TYAGI)**  
**JUDGE**

Whether speaking/reasoned : Yes/No  
Whether reportable : Yes/No