

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.52408 of 2019
Date of Decision: February 07, 2020

Baljinder Singh @ Chitu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Naveen Sharma, Advocate,
for the petitioner.

Mr. Prabhjot Singh Walia, AAG, Punjab.

MANOJ BAJAJ, J.

This petition has been filed by the petitioner under Section 438 Code of Criminal Procedure for grant of anticipatory bail in case FIR No.53 dated 23.06.2018, under Section 306 IPC (Section 309 IPC deleted vide DDR No.35 dated 25.06.2018 and Section 116 IPC deleted vide DDR No.27 dated 26.06.2018), registered at Police Station, S.G.N. Dev Thermal Plant, District Bathinda. The petitioner apprehended his arrest at the hands of police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 09.12.2019, 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 relies upon a order dated 02.12.2019 of Court passed in CRM-M-51141 of 2019.

Notice of motion for 07.02.2020.

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 alongwith CRM-M-51141-2019. ”

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, on instructions from SI Harpinder Kaur, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from SI Harpinder Kaur, 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 09.12.2019 is made absolute.

Petition stands disposed off.

February 07, 2020
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No