

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-54136-2019

Date of Decision: 16.03.2020

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.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Vishal Munjal, Advocate for the petitioner.

Ms. Monika Jalota, DAG, Punjab.

Mr. S.S. Killian Wali, Advocate for
Mr. Pardeep Virk, Advocate
for the complainant.

...

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.0377 dated 04.10.2019 under Sections 363 and 365 IPC read with Section 34 IPC, 1860, registered at Police Station Zirakpur, District SAS Nagar, Mohali. He apprehended his arrest at the hands of Police in the above said FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 18.12.2019, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“The petitioner is seeking anticipatory bail in FIR No.0377 dated 04.10.2019, under Sections 363, 365, 34 IPC, registered at Police Station Zirakpur, District SAS Nagar (Mohali).

Learned counsel for the petitioner contends that the main accused, namely, Vishal Handa, has been granted

ad interim bail by the Coordinate Bench of this Court in CRM-M-49474 of 2019, on 02.12.2019, which has been adjourned to 16.03.2020.

Issue notice to the respondent returnable on 16.03.2020. In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation. In the event of his arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

To be heard along with CRM-M-49474 of 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 Kuldeep Singh does not dispute this fact that the petitioner has joined the investigation and states that he 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 18.12.2019 is made absolute.

16.03.2020
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes
No