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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-383-2020
Date of decision-08.09.2021

RAJU

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. Bhupender Beniwal, 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.270 dated 15.12.2019, under Sections 323, 324, 341, 506, 34 & 326 (added later on) Indian Penal Code, 1860, registered at Police Station Shahkot, District Jalandhar. 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 29.01.2020, whereby, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned State counsel seeks time to file reply in compliance with the order dated 09.01.2020.

Adjourned to 01.04.2020.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be

released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim bail allowed to him.”

Learned counsel for the petitioner has argued that during the pendency of the case, the parties have arrived at a compromise and a separate petition CRM-M-4376-2021 for quashing of FIR No. 270 dated 15.12.2019 registered under Sections 323, 324, 341 and 506 read with Section 34 of the Indian Penal Code, 1860, Police Station Shahkot, District Jalandhar. He has further submitted that the petitioner has joined the investigation.

Learned State counsel, who is assisted by HC Sukhwinder Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being. He further states that the petitioner is not required for any custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 29.01.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

08.09.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No