

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.1373 of 2021

Date of Decision: February 11, 2021

Gurjant Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Kuldip Singh, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, 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.228 dated 04.10.2020, under Sections 324, 323, 427, 452, 340, 148, 149 IPC, 1860, Section 326 added later on vide DDR No.28 dated 04.10.2020 and Section 307 IPC added subsequently vide DDR No.11 dated 03.12.2020), registered at Police Station, Mehatpur, District Jalandhar Rural. The petitioner apprehended his arrest at the hands of police in the above FIR.

Learned counsel for the petitioners has invited the attention of the Court to the order dated 12.01.2021, 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 contends that in respect of the alleged occurrence, cross cases were registered and the petitioner was allegedly armed with a stick and the offence punishable under Section 307 IPC was added after a period of two months. He

has further placed reliance upon the order dated 19.11.2020 (Annexure P-5), whereby concession of interim anticipatory bail has been extended to co-accused-Sukhwinder Kaur @ Jaswinder Kaur.

Notice of motion for 11.02.2021.

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-37077-2020.”

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 does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from SI Sarabjit 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 12.01.2021 is made absolute.

February 11, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No