

210 (1)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-4667-2021 (O&M)
Date of decision-26.07.2021

BABAR ALIAS DABAR

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gurcharan Dass, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. 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.139 dated 27.10.2020 under Sections 457 & 380 of Indian Penal Code, 1860, registered at Police Station Meharban, District Ludhiana. 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 22.03.2021, whereby, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the petitioner was named as an accused in case FIR No.141 dated 31.10.2020 (Anneuxre P-2) and was granted pre-arrest bail by the Court of Sessions, and later on the petitioner was made an accused in the present FIR bearing No.139 dated 27.10.2020 (Anneuxre P-1). According to him, the petitioner has been falsely implicated and his custodial

interrogation may not be necessary as he is willing to join the investigation.

Learned State counsel on instructions from ASI Kamaljit has pointed out that the stolen articles have already been recovered from coaccused, namely, Sonu Hussain @ Chhotu.

Adjourned to 26.07.2021.

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.”

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 ASI Kamaljeet 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.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 22.03.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

26.07.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No