

203(1)

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3137-2020

Date of decision-06.07.2021

HARDEEP SINGH @ DEEPA

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gurmeet Singh Saini, 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.145 dated 25.09.2019 under Sections 336, 34 & 387 (added later on) of Indian Penal Code, 1860 & Sections 25 & 27 of Arms Act, 1959, registered at Police Station Sadar Ludhiana, 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 24.01.2020, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the petitioner was neither named in the original information, whereupon the FIR No.145 dated 25.09.2019, under Sections 336 read with Section 34 IPC, Section 387 IPC (added later on) and Sections 25 and 27 of the Arms Act, 1959, Police Station, Sadar Ludhiana was registered, nor in the

supplementary statement, wherein the names of co-accused, namely, Amrik Singh son of Surjeet Singh, Manpreet Singh, Lakhwinder Singh @ Lakha and Amrik Singh son of Lekh Raj were disclosed. It is pointed out that the petitioner has been indicted on the basis of the disclosure statement suffered by the co-accused.

Notice of motion for 12.05.2020.

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.”

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 Devinder 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 above, the petition is allowed and the interim bail granted by this Court vide order dated 24.01.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

06.07.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No