

207 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-7385-2021

Date of Decision: 16.09.2021

PARVINDER SINGH

..... petitioner

Versus

STATE OF PUNJAB

..... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present :- Mr. Jagmeet Singh Moudgill, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. DAG, Punjab.

Mr. Nikhil Batra, Advocate
for the complainant.

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.245 dated 10.12.2020 under Sections 436, 427 and 506 IPC registered at Police Station Sadar Patiala, District Patiala. 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 27.04.2021, whereby, the interim protection was extended to the petitioner. The said order reads as under:

“Heard.

Adjourned to 16.08.2021.

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 has pointed out that on 05.12.2020, the complainant had given beatings to him, whereupon a case FIR No.243 dated 10.12.2020 was registered against him and thereafter, the petitioner was falsely implicated in FIR No.245 dated 10.12.2020 (Annexure P-1). He submits that pursuant to the interim order dated 27.04.2021, the petitioner has joined the investigation. In order to create another ground, the petitioner has been falsely implicated in case i.e., FIR No.131 dated 23.05.2021. According to him, in the given facts, the custodial interrogation of the petitioner may not be necessary.

Learned State counsel assisted by ASI Mashhoor Singh as well as learned counsel for the complainant do not dispute this fact that the petitioner has joined the investigation and his custodial interrogation in case FIR No.245 is not required for the time being.

Learned counsel for the complainant has argued that the petitioner has misused the concession of interim bail by committing another crime, which is subject matter of FIR No.131.

At this stage, learned counsel for the petitioner has argued that the offences mentioned in FIR No.131 are bailable and the petitioner is on bail.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 27.04.2021 is made absolute.

16.09.2021*Ali***(MANOJ BAJAJ)
JUDGE**

1. Whether speaking/reasoned: Yes/No
2. Whether reportable: Yes/No