

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(202)

CRM-M-6207-2020

Date of decision:- 09.09.2021

Varinder Kumar @ Bari

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. S.S.Sahu, Advocate for the petitioner.

Mr. R.S.Thind, DAG, Punjab.

Mr. Parvinder Singh, Advocate for complainant.

...

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.09 dated 07.01.2020 under Sections 379-B, 451, 323, 324 and 34 of the Indian Penal Code, 1860, registered at Police Station City Nawashahr, District Shaheed Bhagat Singh Nagar.

While granting interim protection to the petitioner, this Court passed the following orders on 25.02.2020:-

“Learned counsel for the petitioner submits that the allegation against the petitioner is that after taking liquor, he snatched money from the cashier and also gave him beating. He further submits that the allegations against him are false since they were in a

hotel which is in public place and it is not possible that nobody else was present there at the time of the alleged incident.

Learned State counsel assisted by counsel for the complainant submitted that there is another FIR registered against the petitioner under the Punjab Gambling Act.

Adjourned to 06.05.2020.

Meanwhile, the petitioner shall join the investigation and would be 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 State counsel, upon instructions, from ASI Jaswinder Singh submits that the petitioner has joined the investigation and he is no longer required for custodial interrogation as the challan has been presented. He has further instructions to state that the petitioner is involved in another criminal case registered against him under the Punjab Gambling Act, 1867, which is pending trial.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed. Order dated 25.02.2020 is made absolute, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

09.09.2021
Kamal

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No