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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-9701-2021
Date of decision-27.09.2021

DAMANPREET

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. J.S. Thakur, 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.70 dated 30.06.2019, under Sections 323, 336, 341, 427, 506, 160, 148 & 149 Indian Penal Code, 1860 & Sections 25, 27 Arms Act, 1959 (Section 307 IPC, 1860 added later on) registered at Police Station Division No. 1, District Police Commissionerate, Jalandhar. 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 23.03.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Counsel for the petitioner herein while

praying for grant of anticipatory bail to the petitioner would contend that the FIR was got registered on the basis of secret information that there was an altercation between Sonu and Ishu, who were heading two different groups, however, the petitioner herein has not been named as one of the persons, who had fired gun shots and inflicted injuries. It is submitted that the court below has dismissed his application for grant of anticipatory bail on the ground that petitioner-Damanpreet is also known as Lucky Nagra, however, the FIR does not reflect that even Lucky has been named as a person involved in the incident. It is argued that the persons who were nominated as an accused in the FIR, have already been allowed anticipatory bail.

Notice of motion.

At this stage, Ms. Rashmi Attri, AAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State.

Adjourned to 27.09.2021.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided 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 Kulwinder 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 23.03.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

27.09.2021

<i>Vipin kumar</i>	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No