

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

201

CRM-M-7495 of 2020
Date of Decision : 01.11.2021

Ravinder Singh

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Balbir Singh Jaswal, Advocate for the petitioner.

Mr. K.S. Aulakh, DAG, Punjab.

Harsimran Singh Sethi, J. (Oral)

Petitioner is seeking anticipatory bail in FIR No.13 dated 08.05.2018 registered under Section 420 of the IPC and Section 12 of the Passport Act, 1976 at Police Station Mattewal, District Amritsar.

Learned counsel for the petitioner submits that the petitioner has joined investigation in terms of order passed by a Coordinate Bench of this Court on 20.02.2020. Order dated 20.02.2020 is as under:-

“The petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.13 dated 08.05.2018 registered under Section 420 of the Indian Penal Code, 1860 (for short ' the IPC') at Police Station Mattewal, District Amritsar.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated on the complaint of Superintendent of

Police (Local) Amritsar. In case FIR No. 43 dated 21.07.2015 registered under Section 148, 323 and 324 read with Section 149 of the IPC, name of the petitioner was wrongly mentioned as Arwinder Singh @ Indu due to which even MHC of police station, Mattewal, District Amritsar could not notice the factum of his implication in the above said case at the time of verification for his passport. The petitioner did not conceal any material facts at the time of getting his passport issued. The petitioner is ready to join the investigation and his custodial interrogation is not required.

Notice of motion.

On the asking of the Court, Mr. Sandeep Singh Deol, D.A.G. Punjab accepts notice on behalf of the respondent-State. Copy of the paper book has been supplied to the Learned State Counsel, who seeks time to complete his instructions.

Adjourned to 01.05.2020.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim bail allowed to him.”

Learned State counsel on instructions from ASI, Harjinder Singh states that in terms of the order passed by a Coordinate Bench of this Court reproduced before, the petitioner has joined the investigation and he is not required for further interrogation, at this stage.

In view of the above, the order dated 20.02.2020 passed by a

Coordinate Bench of this Court granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the Investigating Agency that petitioner is required for the investigation but is not co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

November 01, 2021

(HARSIMRAN SINGH SETHI)

aarti

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No