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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-8489--2020
Date of decision-06.10.2021

NAVDEEP SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. A.P.S. Sandhu, 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.252 dated 09.10.2019, under Sections 323, 324, 325 & 326 Indian Penal Code, 1860, registered at Police Station Jandiala, District Amritsar Rural. 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 27.02.2020, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

*“The petitioner has filed this petition under
Section 438 of the Code of Criminal Procedure, 1973*

(for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No. 252 dated 09.10.2019 registered under Sections 323, 324, 325 and 326 of the Indian Penal Code, 1860 at Police Station Jandiala, District Amritsar (Rural).

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated due to matrimonial dispute. There was undue and unexplained delay in lodging of the FIR. Subsequently the matrimonial dispute has been compromised and the complainant is residing in the matrimonial house. Co-accused has been granted anticipatory bail by learned Additional Sessions Judge, Amritsar. The petitioner is ready to join the investigation.

Notice of motion.

On the asking of the Court, Mr. Arun Kaundal, DAG, 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 12.05.2020.

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 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 SI Pawan Kumar 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 27.02.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

06.10.2021

Vipin kumar

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