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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-10847-2020

Date of decision-29.10.2021

DALJIT SINGH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Harsh Chopra, 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.08 dated 21.01.2020, under Sections 323, 341, 451, 506, 34 Indian Penal Code (Section 452, 325 IPC added later on) registered at Police Station Nurpur Bedi, District Rupnagar. 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 16.03.2020, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel contends that the alleged occurrence took place between the relatives on 19.01.2020 and the FIR was lodged after a delay of

two days on 21.01.2020. It is pointed out that the offences punishable under Sections 325 and 452 IPC were added subsequently. According to him, it would be seriously debatable if the offence punishable under Section 452 IPC would be actually attracted, as the occurrence took place in an open place.

Notice of motion for 21.07.2020.

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.

At this stage, Mr.Padamkant Dwivedi Advocate appears on behalf of the complainant.”

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 Suresh 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. He further states that final report also stands filed.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 16.03.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

29.10.2021

Vipin kumar

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