

208(2)

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-20743-2021

Date of decision-29.10.2021

KETAN CHOPRA**...Petitioner****Vs.****STATE OF PUNJAB****...Respondent****CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ**

Present: Mr. Akhilesh Vyas, 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 Rapat No. 31 dated 21.11.2020 under Sections 323, 342, 182, 364, 379-B, 120-B, 148, 149 Indian Penal Code, 1860 and Sections 25/27/54/59 Arms Act, 1959 being cross case in FIR No.284 dated 17.11.2020, under Sections 307, 458, 506, 34 Indian Penal Code, 1860 & Sections 25, 27 Arms Act, 1959 registered at Police Station Majitha, District Amritsar. 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 26.05.2021, 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 FIR No.284 dated 17.11.2020, under Sections 307, 458, 506 and 34 IPC, 1860 and Sections 25 and 27 Arms Act, 1959 was registered at the instance of Sajan

against accused Sukhwinder Singh in relation to the dispute between the two regarding theft of electricity. He submits that the alleged place of occurrence is house of Sajan and later on, a cross version was recorded on the basis of the statement of Harbhajan Singh (father of Sukhwinder Singh) for the offences punishable under Sections 323, 342, 148 and 149 IPC and later on the other offences were added. According to him, the petitioner is neighbour of Sajan and has been falsely implicated on the ground that he also hurled bricks.

Notice of motion for 29.10.2021.

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.”

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 Mukhtar 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. 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 26.05.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

29.10.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No