

CRM-M-21214-2021

Date of Decision : 29.07.2021

Ram Bhawan

...Petitioner

Versus

State of Punjab

....Respondent

Coram : Hon'ble Mr. Justice B.S. Walia

Present : Mr. Naveen Bawa, Advocate for the petitioner.

Mr. Sukhbeer Singh, AAG, Punjab.

B.S. Walia, J. (VC)

1. Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.
2. Prayer in the petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case FIR No.73 dated 10.04.2021, registered under Sections 381, 120-B of IPC, at Police Station Sahnewal, District Ludhiana.
3. On 27.05.2021, the following order was passed:-

“Case is being taken up for hearing through Video Conferencing due to Covid-19 pandemic.

Learned counsel for the petitioner contends that the petitioner has been implicated in the case solely on the basis of disclosure statement made by co-accused from whom some of the stolen articles were recovered and who implicated the petitioner by stating that he was also present at the time of commission of the offence and that apart from the aforementioned disclosure statement, there is no other material to connect the petitioner with the

commission of the offence.

Notice of motion.

Mr. Hittan Nehra, Additional Advocate General, Punjab, accepts notice and requests for time to file reply.

Adjourned to 29.07.2021.

In the meantime, the petitioner is directed to join investigation and fully co-operate with the Police. However, in the event of arrest, the petitioner be released on ad interim pre-arrest bail, subject to his furnishing bail/surety bonds to the satisfaction of the arresting/Investigating Officer. The petitioner shall abide by the conditions envisaged under Section 438(2) Cr.P.C., failing which the interim protection granted to the petitioner, shall stand vacated.

4. Today, learned counsel for the petitioner contends while learned State Counsel on instructions from *ASI Kulwinder Singh*, confirms that pursuant to the order of this Court dated 27.05.2021, the petitioner joined investigation, cooperated in the same, was released on ad-interim pre-arrest bail and his custodial interrogation is not required.

5. In view of the statement of the learned State Counsel, order dated 27.05.2021, passed by this Court, is made absolute. The petitioner shall abide by the terms and conditions enumerated in Section 438(2) Cr.P.C. However, nothing stated hereinabove shall be deemed to be an expression of opinion on the merits of the case.

6. Petition stands disposed of in the aforementioned terms.

29.07.2021

'Rajesh'

(B.S. Walia)
Judge

Whether speaking/ reasoned : *Yes/No*
Whether reportable : *Yes/No*