

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-21745 of 2021
Date of decision:05.08.2021

Surjit Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Dinesh Trehan, Advocate, for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

SUVIR SEHGAL, J. (Oral)

The Court has been convened through video conferencing due to Covid-19 pandemic.

On 21.06.2021, following order was passed:-

“Matter has been taken up through video conferencing via Webex facility in the light of the Pandemic Covid-19 situation and as per instructions.

Instant petition has been filed under Section 438 Cr.P.C praying for granting anticipatory bail to the petitioner in case FIR No.83 dated 07.05.2021, under Sections 420 and 120-B of the Indian Penal Code, at Police Station Sujanpur, District Pathankot.

It has been contended by learned counsel for the petitioner that co-accused Tarsem Raj for whom the consignment was brought has already been granted the benefit of interim anticipatory

bail by the coordinate bench vide order dated 25th May, 2021. He vehemently contended that the petitioner has no concern with the allegations made in the FIR. The factual position of granting the interim bail to the co-accused has not been disputed by learned State counsel.

Having heard learned counsel for the parties, this Court finds it a fit case where concession of interim protection should be given to the petitioner.

List on 03.08.2021.

In the meanwhile, in the event of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. The petitioner shall join investigation before the Investigating Agency/Officer. He shall abide by the following conditions as envisaged under Section 438(2) Cr.P.C:-

(i) That the petitioner shall make himself available for interrogation by a police officer as and when required to do so.

(ii) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iii) That the petitioner shall not leave India without prior permission of the court.”

Counsel for the petitioner has made a reference to the order dated 03.08.2021, wherein, the State counsel upon instructions from ASI Surinder Kumar had submitted that the petitioner has joined the investigation, is no longer required for custodial interrogation and is not involved in any other criminal case.

Interim protection granted to the co-accused, Tarsem Raj in CRM-M-20761 of 2021 has been made absolute by this Court.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 21.06.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

(SUVIR SEHGAL)
JUDGE

August 05, 2021
savita

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No