

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

208/2

CRM-M No.28124 of 2021
Date of Decision: 16.11.2021

Sukhwinder Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. L.S. Sidhu, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, 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.46 dated 22.04.2021, under Sections 392, 341, 336, 506, 148 and 149 IPC and 25/27 of Arms Act, registered at Police Station Sadar Tarn Taran, District Tarn Taran. The petitioner apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 22.07.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner.

The said order reads as under:-

“Learned counsel contends that the alleged crime was committed by unknown persons, but later the complainant named four persons including Kaka Challi (parentage unknown) and the petitioner Sukhwinder Singh son of Balwinder Singh is being implicated on the ground that he is the said accused. According to him, the petitioner is not Kaka Challi. Further reliance has been placed upon the order dated 09.07.2021 (Annexure P-4), whereby concession of interim pre arrest bail has been granted to co-accused.

Notice of motion for 16.11.2021.

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.

To be heard along with CRM-M-26188-2021.”

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 Sukhdev, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions, further states that the petitioner 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 22.07.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

16.11.2021

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Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No