

CRM-M-29395-2021 (O&M)
Date of Decision:- 08.11.2021

SAHIL KUMAR

...Petitioner

Verses

STATE OF PUNJAB

... Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJPresent: Mr. G.S.Jagpal, Advocate
for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.16 dated 24.1.2021, registered under Sections 379-B, 411, 34 of IPC of 1860 at Police Station Haibowal, District Ludhiana. 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 28.07.2021, 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 occurrence of snatching of mobile phone took place on 17.01.2021 but the complainant reported the matter after a delay of seven days by naming the petitioner and his co-accused. According to him, the vehicle used in the crime belongs to his co-accused, who has been arrested

and the allegations itself suggests that the petitioner has been falsely implicated.

Notice of motion for 08.11.2021.

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.”

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 SI Bhajan Singh does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 28.07.2021 is made absolute.

08.11.2021
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(MANOJ BAJAJ)
JUDGE

Whether speaking /reasoned
Whether Reportable

Yes/No
Yes/No