

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.25186 of 2020

Date of Decision: March 02, 2021

Sunil Kumar @ Monu

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Ms. Rishma Verma, Advocate,
for the petitioner.

Mr.Sandeep Singh Deol, 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.111 dated 11.07.2020, under Section 21 N.D.P.S.Act, 1985 and Section 25 Arms Act, 1959, registered at Police Station, Bullowal, District Hoshiarpur. 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 17.09.2020, whereby the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the alleged recovery was effected from a vehicle driven by its owner Jasmeet Singh (co-accused), whereas the weapon was recovered from another co-accused, namely, Harman Singh. She submits that the petitioner was allegedly travelling in the said car and, therefore, according to her, the custodial

interrogation of the petitioner may not be necessary.

Adjourned to 15.12.2020.

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 Inderjit Singh, 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 17.09.2020 is made absolute.

March 02, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No