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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31135-2021
Date of decision-22.11.2021

AMANDEEP

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Avtar Singh Bhatti, 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.118 dated 18.07.2021, under Sections 437 & 380 Indian Penal Code, 1860, 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 05.08.2021, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that the petitioner has been nominated on the basis of disclosure statement of co-accused Jagdeep Singh @ Jagga. Firstly, coaccused Jagdeep Singh @ Jagga was arrested from a place near railway line and

thereafter his disclosure statement was recorded which ultimately led to recovery of the alleged booty subject matter of theft.

Notice of motion for 11.10.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 10.08.2021 at 11.00 A.M. and in the event of his arrest, he shall be enlarged on interim bail, subject to his furnishing requisite bail bonds/surety bonds to the satisfaction of Arresting Officer. However, petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Nothing expressed hereinabove shall be construed to be an opinion on the merits of the case. The case shall be decided on merits on the adjourned date.”

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 Jaswinder Singh does not dispute this fact that the petitioner has joined the investigation and he 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 05.08.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

22.11.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No