

In virtual Court

CRM-M-25603-2020

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IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-25603-2020 (O&M)
Date of decision: 10.03.2021

Sakattar Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE ARVIND SINGH SANGWAN

Present: Mr. A.S. Manaise, Advocate
for the petitioner.

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (ORAL)

Prayer in this petition is for grant of anticipatory bail in FIR No.103 dated 18.08.2020 under Sections 323, 324, 325, 326, 336, 148, 149 IPC and Sections 25, 27(2) of Arms Act, registered at Police Station Qadian, Police District Batala, District Gurdaspur.

While granting interim bail to the petitioner, following order was passed by this Court on 01.12.2020: -

“...Learned counsel for the petitioner inter alia contends that abnormal delay of 21 days in lodging of the FIR in question lends credence to the false implication of the petitioner, who has not been attributed any injury in the entire occurrence. Learned

counsel for the petitioner submits that the petitioner was empty handed and merely caught hold of the complainant in the alleged occurrence...”

Learned counsel for the petitioner submits that in pursuance of the aforesaid order, the petitioner has joined the investigation and is not required for any further investigation.

Learned State counsel, on instructions from the Investigating Officer, has not disputed the factual position and states that the petitioner is no more required for any further investigation, however, it is submitted that he has not surrendered the passport either to the Investigating Officer or before the Illaqa Magistrate.

In view of the above, this petition is allowed and the interim bail granted to the petitioner vide order dated 01.12.2020 is made absolute subject to the conditions envisaged under Section 438 (2) Cr.P.C.

This will, however, be subject to the condition that the petitioner will hand over his passport either to the Investigating Officer or before the Illaqa Magistrate within a period of 15 days from today.

[ARVIND SINGH SANGWAN]
JUDGE

10.03.2021
vishnu

Whether speaking/reasoned : Yes/No

Whether Reportable : Yes/No