

210-2

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

(Through video conferencing)

CRM-M No.32164 of 2021
Date of Decision: 07.10.2021

HARJINDER SINGH

.....Petitioner

Vs

STATE OF PUNJAB

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present: Mr. R. Kartikeya, Advocate for
Mr. Karan Sachdeva, Advocate
for the petitioner..

Mr. Chaman Lal Pawar, Sr. D.A.G., Punjab.

RAJ MOHAN SINGH, J. (Oral)

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C. in case bearing FIR No.113 dated 12.07.2021 registered under Sections 304, 337, 427 IPC at Police Station City-2 Mansa.

On 12.08.2021, following order was passed by this Court:-

"The case has been taken up for hearing through video-conferencing.

Learned counsel for the petitioner contends that the deceased was employee of the CNG Filling Station where the blast took place during the process of filling the fuel tank of the car. Petitioner was driver of the car. One

Manjinder Singh is the owner of the car. Brother of the petitioner namely Manjit Singh purchased the same on 18.06.2021 by way of affidavit. Brother of the petitioner had purchased the vehicle one month prior to the date of incident in question.

Learned counsel further contends that at the most, the case falls under the ambit of Section 304-A IPC. Offences under Sections 304 and 337 IPC are self-contradictory. Co-accused namely Jagmohan Kumar has been granted interim anticipatory bail vide order dated 02.08.2021 in CRM-M No.30228 of 2021.

Notice of motion for 07.10.2021.

In the meanwhile, petitioner is directed to appear before the SHO/Investigating Officer to join investigation on 17.08.2021 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.

To be heard along with CRM-M No.30228 of 2021.”

This case was ordered to be heard along with CRM-M No.30228 of 2021. Vide order of even date, the said petition has been disposed of thereby granting anticipatory bail to the petitioner-therein.

Learned counsel for the petitioner submits that in compliance of the order dated 12.08.2021, the petitioner has joined the investigation on 17.08.2021 to the entire satisfaction

of the Investigating Officer.

Learned State counsel on instructions from ASI Makhan Singh admits the aforesaid fact and submits that vehicle has been recovered from the petitioner and his presence is no more required for further investigation of the case.

In view of aforesaid factual position, the interim order dated 12.08.2021 is made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

October 07, 2021

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(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No