

CRM-M-33020-2021

Date of Decision:29.10.2021

Karanveer Singh

.....Petitioner

Vs.

State of Punjab

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Bikramjeet Singh Jatana, Advocate,
for the petitioner.

Mr. Rana Harjasdeep Singh, DAG, Punjab.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conference.

On 16.08.2021, the following order had been passed by this court

(co-ordinate bench):-

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

The petitioner has filed this petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case FIR No.0029 dated 01.04.2021 registered under Sections 420, 379, 473 read with Section 34 of the Indian Penal Code, 1860 (for short 'the IPC') at Police Station Joga, District Mansa to which Section 411 of the IPC was added later on.

Learned Counsel for the petitioner has submitted that the petitioner has been falsely implicated in the case. The FIR was registered on the basis of secret information against co-accused Beant Singh @ Happy. The present petitioner has been nominated as accused on the basis of disclosure statement made by co-accused Beant Singh @ Happy. There is no cogent evidence as to his involvement in the crime. No recovery is to be made from the petitioner. The petitioner is ready to join the investigation.

Notice of motion.

Pursuant to supply of advance copy, Mr. P.S. Walia, Asstt. A.G. Punjab has appeared and accepted notice on behalf of the respondent-State.

Learned State Counsel seeks time to file reply.

Adjourned to 29.10.2021.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim anticipatory bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim anticipatory bail allowed to him.”

Thereafter, a reply dated 26.10.2021 has been filed by the DSP, Sub Division, Mansa, which is ordered to be taken on record.

The details of two other cases in which the petitioner has been arraigned as an accused have been given in the said affidavit, with the DSP stating that the petition is liable to be dismissed.

However, learned State counsel submits, on instructions from ASI Gurpal Singh, that the petitioner having joined investigation his custodial interrogation is not required.

It already having been recorded that the petitioner has been nominated as an accused on the basis of an alleged disclosure statement made by his co-accused, Beant Singh (in police custody), without making any comment on the actual merits of the case, the petition is allowed, with the order dated 16.08.2021, made absolute on the same terms and conditions.

October 29, 2021

dharamvir

**(AMOL RATTAN SINGH)
JUDGE**

Whether speaking/reasoned : YES
Whether Reportable : NO