

201

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-31142-2020

Date of Decision: 05.01.2021

Gurpinder Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Brijeshwar Singh Bhalla, Advocate for the petitioner.

Mr. Bhupender Beniwal, AAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.160 dated 27.06.2020 under Sections 326, 452, 324, 506, 148 and 149 IPC, 1860, registered at Police Station Ajnala, District Amritsar. He apprehended his arrest at the hands of Police in the above said FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 06.10.2020 whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner contends that as per allegations in the FIR, the petitioner was attributed exhortation and no injury was caused by him to the victim. He has pointed out that the concession of interim pre-arrest bail was extended to the accused by the Court of Session, however, his application was later on dismissed on the ground that the accused failed to join the investigation. Learned counsel has submitted that as the Investigating Officer was on COVID duty, therefore, the petitioner could not join the investigation despite his three visits.

Notice of motion for 5.01.2021.

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 Kewal Singh does not dispute this fact that the petitioner has joined the investigation and states that the petitioner is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 06.10.2020 is made absolute.

05.01.2021
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No