

211(2)

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-37274-2021

Date of decision-26.10.2021

AKASH

...Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Dinesh Trehan, 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 bearing DDR No. 26 dated 20.05.2019, under Sections 341, 323, 324, 506, 148, 149 Indian Penal Code, 1860 (Sections 325, 326 IPC added later on), registered at P.S. City Jagroan, District Ludhiana in FIR No.90 dated 20.05.2019, under Sections 341, 323, 324, 506, 148 & 149 Indian Penal Code, 1860, registered at Police Station City Jagraon, District Ludhiana (Rural). 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 09.09.2021, 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 contends that the petitioner is an accused in cross version recorded through DDR No.26 dated 20.05.2019, registered under Sections 341, 323, 324, 506, 148 and 149 IPC, wherein after a period of two years, the offences punishable under Sections 325 and 326 IPC have been added. He has placed reliance upon the order dated 10.06.2021 passed by this Court in CRM-M-22747-2021, whereby his co-accused Gaurav @ Gora, has been extended the concession of interim pre arrest bail.

Notice of motion for 26.10.20221.

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.

To be heard along with CRM-M-22747-2021.”

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 Darshan 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 09.09.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

26.10.2021

Vipin kumar

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No