

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.36117 of 2020

Date of Decision: January 28, 2021

Karamjeet Singh @ Gaggi

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Nikhil Kumar, 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 FIR No.167 dated 12.05.2019, under Sections 323, 341, 427, 506 and 379-B IPC, 1860, registered at Police Station, Phillaur, District Jalandhar (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 05.11.2020, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“This matter is being taken up for hearing through video conferencing due to outbreak of the pandemic, COVID-19.

It is contended that the petitioner is sought to be falsely implicated in this matter. Three of the co-accused have been found innocent. Furthermore, no specific injury has been attributed to the petitioner, who is alleged to be armed with a dang/stick. Learned counsel for the petitioner further submits

that present is a case of version and cross version.

Notice of motion.

Mr. Monika Jalota, DAG, Punjab accepts notice on behalf of the respondent – State. Advance copy of a petition has been supplied to her.

List on 28.01.2021.

In the meanwhile, petitioner shall appear before the Investigating Officer as and when directed by the Investigating Agency. He shall fully cooperate in the investigation of this case. In the event of his arrest, petitioner shall be released on interim bail to the satisfaction of Investigating Officer. Petitioner shall comply with the conditions stipulated in 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 does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions from SI Govinder Singh, further 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 05.11.2020 is made absolute.

January 28, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned
Whether Reportable:

Yes/No
Yes/No