

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

205-2

CRM-M-38514 of 2020
Date of decision:25.10.2021

Kashmir Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. P.S.Ahluwalia, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

Instant petition has been filed under Section 438 of the Code of Criminal Procedure seeking grant of anticipatory bail to the petitioner in case FIR No.184 dated 02.10.2020 registered under Sections 420, 465, 467, 468, 471 and 120-B of Indian Penal Code, 1860 at Police Station Cantonment, District Police Commissionerate Amritsar.

While granting interim protection to the petitioner, this Court passed the following order on 22.01.2021:-

“The Court has been convened through video conferencing due to Covid-19 pandemic.

Counsel for the petitioner has argued that the offences mentioned in the FIR are not made out and the petitioner has

*been made an accused by the aid of Section 120-B IPC. Counsel submits that the report on the basis of which the FIR has been lodged, cannot be relied upon by the prosecution. He has placed reliance upon a judgment of Hon'ble Supreme Court in **Dilip Singh vs. State of Punjab**, 1997 (4) RCR (Criminal) 58. Still further, counsel has referred to the interim order dated 19.11.2020 passed by this Court in CRM-M-38241-2020 titled as **Parveen Kumar vs. State of Punjab**, whereby a co-accused has been granted interim bail.*

Notice of motion.

On asking of the Court, Mr. A.S. Gill, Senior DAG, Punjab accepts notice on behalf of the respondent-State. He is assisted by Mr.Ashok Arora, Advocate, who has appeared on behalf of the complainant.

List on 07.04.2021 along with CRM-M-38241-2020.

Meanwhile, the petitioner(s) shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner(s) shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting Investigating Officer. The petitioner(s) shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

Photocopy of this order be placed on the files of other

connected cases.”

Interim protection granted to co-accused Parveen Kumar in CRM-M-38241 of 2020 has been made absolute by an order passed by this Court on even date.

Upon instructions from SI Narinder Kumar, State counsel submits that the petitioner has joined the investigation and is no longer required for custodial interrogation.

In view of the above facts, but without commenting on the merits of the case, the present petition is allowed and the order dated 22.01.2021 granting interim bail to the petitioner is made absolute, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

October 25, 2021
savita

(SUVIR SEHGAL)
JUDGE

<i>Whether Speaking/Reasoned</i>	<i>Yes/No</i>
<i>Whether Reportable</i>	<i>Yes/No</i>