

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

-:-
CRM-M-40753-2020 (O&M)
Date of decision : 27.01.2021.

Manga @ Saurav Singh

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE ALKA SARIN

Present: Mr. Arshdeep Singh Brar, Advocate for the petitioner.

Mr. Ramandeep Sandhu, Sr. DAG, Punjab.

ALKA SARIN, J. (ORAL)

Heard through video conferencing.

On 07.12.2020, the following order was passed:-

“ *Heard through video conferencing.*
This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.165 dated 19.09.2020 under Sections 399, 402 of the Indian Penal Code, 1860 (IPC) and Sections 25, 27 of the Arms Act, 1959 registered at Police Station Bhikhiwind, District Tarn Taran.

Learned counsel for the petitioner has contended that the petitioner was not named in the FIR and he was nominated only on the basis of the disclosure statement of one of the co-accused who stated that one person called Manga, son of unknown, was one of the persons who was along with them. Learned counsel for the petitioner would further contend that the petitioner's name is Saurabh, however, he has been falsely implicated in the case. Learned counsel for the petitioner has further contended that a bare perusal of the FIR reveals that totally vague allegations have been made and there are no details as to where the alleged persons were planning to commit a robbery. Learned counsel further states that the ingredients of Section 399 IPC are woefully missing.

Notice of motion.

On the asking of the Court, Mr. H.S. Sitta, Assistant Advocate General, Punjab has joined the session through video conferencing and accepts notice on behalf of the State.

Learned State counsel, on instructions from ASI-Jassa Singh, has stated that there is no other case against the present petitioner.

List on 27.01.2021.

Meanwhile, the petitioner is directed to join investigation before the Investigating Officer and would come present as and when called for. In the event of arrest, the petitioner shall be admitted to bail on furnishing adequate surety and personal bonds to the satisfaction of the Arresting Officer. The petitioner shall abide by all the terms and conditions as specified in Section 438(2) of the Code of Criminal Procedure, 1973."

Learned counsel for the petitioner has contended that the petitioner has since joined the investigation and has fully co-operated with the Investigating Officer.

Learned counsel for the State, on instructions from ASI-Jassa Singh, has stated that the petitioner has since joined investigation and that he is no longer required for further investigation as of now.

In view of the above, the order dated 07.12.2020 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

Disposed off accordingly.

January 27, 2021
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(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Yes/No
Whether reportable: Yes/No