

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

CRM-M-42308-2020 (O&M)

Date of Decision: 02.09.2021

Arshdeep Singh @ Arshu

...Petitioner

Versus

State of Punjab

...Respondent

(Through Video Conferencing)

CORAM:- HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. PKS Phoolka, Advocate for the petitioner.

Mr. Dhruv Dayal, Sr. D.A.G., Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 (for short 'the Cr.P.C.') for grant of anticipatory bail in case DDR No.33 dated 23.04.2018 registered under Section 323 read with Section 34 of the Indian Penal Code, 1860 (for short 'the IPC') in Police Station Nandgarh, District Bathinda to which Section 379 of the IPC was added lateron.

Learned counsel for the petitioner contends that the petitioner was granted the benefit of interim bail by this Court on 05.01.2021 and the petitioner has already joined the investigation and the challan has already been submitted by the police. Order dated 05.01.2021 is as under:-

“Learned Counsel for the petitioner has submitted that the petitioner, who was born on 03.12.2001, was a juvenile at the time of registration of the above-said DDR and has been falsely implicated in the case. Co-accused Gurmeet Singh and others (petitioners in CRM-M-34079-2018) have been granted

anticipatory bail by the Coordinate Bench of this Court vide order dated 05.12.2018. The petitioner is ready to join the inquiry under the Juvenile Justice (Care and Protection of Children) Act, 2015.

Notice of motion.

Pursuant to supply of advance copy, Mr. Rana Harjasdeep Singh, DAG, Punjab has appeared and accepted notice on behalf of the respondent-State.

Learned State Counsel seeks time to file reply.

Adjourned to 01.03.2021.

In the meanwhile, the petitioner is directed to join the inquiry as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim anticipatory bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall comply with the conditions enumerated under Section 438(2) of the Cr.P.C. failing which he shall not be entitled to the protection of interim anticipatory bail allowed to him.”

Learned State counsel, who has also joined the proceedings through video conference, on instructions from ASI Mehnga Singh, states that in terms of the order of this Court reproduced before, the petitioner has joined the investigation and no further interrogation is required at this stage.

In view of the above, the order dated 05.01.2021 granting interim bail to the petitioners is made absolute. However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C.

The petition stands disposed of.

02.09.2021

ps-I

(HARSIMRAN SINGH SETHI)
JUDGE

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No