

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M No.43467 of 2020
Date of Decision: 01.09.2021

Manpreet Singh Padda

... Petitioner

Versus

State of Punjab

... Respondent

(Through video conferencing)

CORAM: HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present: Mr. Karan S. Gill, Advocate,
for the petitioner.

Mr. Sandeep Kumar, DAG, Punjab.

HARSIMRAN SINGH SETHI, J. (Oral)

The petitioner is seeking anticipatory bail in FIR No.207-P dated 06.11.2020 registered under Sections 2/9/50/51/39/44/48 (a) Wildlife (Protection) Act, 1972 registered at Police Station Forest Department, Pathankot.

Learned counsel for the petitioner contends that the petitioner has joined investigation in terms of order passed by the Coordinate Bench of this Court dated 22.12.2020. Order dated 22.12.2020 is as under:-

“The case has been taken up for hearing through video conferencing.

The petitioner has filed the present petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail in case FIR No.207-P dated 06.11.2020 registered under Sections 2, 9, 50, 51, 39, 44 and 48(a) of the Wildlife (Protection) Act, 1972 at Police Station Forest Department, Pathankot.

Learned Counsel for the petitioner has submitted that coaccused Mohammad Gulad was found to have kept 285 parrots in cages on the third floor of the complex owned by the petitioner. The petitioner has been falsely implicated in the present case on the basis

of disclosure statement of co-accused Mohammad Gulab on the allegations of being partner in alleged business of sale of the parrots. The petitioner has merely rented out his premises to Mohammad Gulab and is not involved in the crime in any manner. The petitioner is ready to join the investigation and his custodial interrogation is not required for effecting any recovery.

Notice of motion.

Pursuant to supply of advance copy, Mr. P.S. Walia, Asstt. A.G., Punjab has appeared and accepted notice on behalf of the respondent-State.

Learned State Counsel seeks time to file reply.

Adjourned to 25.02.2021.

In the meanwhile, the petitioner is directed to join the investigation as and when called upon to do so. In the event of his arrest, the petitioner shall be released on interim 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 bail allowed to him. "

Learned State counsel, who has also joined the proceedings through video conference, on instructions from Randhir Singh Forest Range Officer, Pathankot, 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.

Learned counsel for the petitioner undertakes that petitioner will join investigation and also cooperate with the investigating agency in case he is required for the same in future as well.

In view of the above, the order dated 22.12.2020 granting interim bail to the petitioner is made absolute.

However, the petitioner shall abide by the conditions stipulated under Section 438(2) Cr.P.C. He shall also join investigation as and when called upon to do so.

In case at any given point of time hereinafter, it is felt by the investigating agency that petitioner is required for the investigation but is not cooperating, they will be at liberty to approach this Court for passing appropriate orders.

The petition stands disposed of.

(HARSIMRAN SINGH SETHI)
JUDGE

01.09.2021
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Whether speaking/reasoned Yes/No

Whether reportable Yes/No