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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-43501-2020
Date of decision-01.09.2021

SHIVA ALIAS LOVEPREET ALIAS VICKY ...Petitioner

Vs.

STATE OF PUNJAB ...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Bikram Singh Randawa, Advocate for
Mr. Tarun Sharma, Advocate
for the petitioner.

Mr. Ramandeep Singh Sandhu, Sr. 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.112 dated 10.10.2020, under Sections 379B, 324, 323, 148 & 149 Indian Penal Code, 1860, registered at Police Station City Zira, District Ferozepur. 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 23.12.2020, whereby, while issuing notice of motion to respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Counsel for the petitioner herein prays for grant of anticipatory bail to the petitioner, while arguing that the petitioner herein is a juvenile and

has been falsely implicated in the present matter. It is also argued that the matter regarding grant of anticipatory bail to a juvenile under the provisions of Section 438 of Cr.P.C. is pending consideration before the larger Bench of this court.

Notice of motion.

At this stage, Ms. Rashmi Attri, AAG Punjab, who is appearing through the medium of video conferencing, accepts notice on behalf of the respondent-State.

Adjourned to 12.05.2021.

Meanwhile, the petitioner is directed to join the investigation within a period of one week and on his doing so, in the event of arrest the petitioner be released on interim bail to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under 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 who is assisted by ASI Angrej Singh does not dispute this fact that the petitioner has joined the investigation and he is not required for custodial interrogation for the time being.

Considering the above, the petition is allowed and the interim bail granted by this Court vide order dated 23.12.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

01.09.2021

Vipin kumar

Whether speaking/reasoned :	Yes	No
Whether Reportable :	Yes	No