

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

CRM-M-44443-2020

Date of Decision:17.03.2021

Manjinder Singh @ Manpreet Singh
Vs.

.....Petitioner

State of Punjab

....Respondent

CORAM : HON'BLE MR.JUSTICE AMOL RATTAN SINGH

Present: Mr. Tanvir Singh Grewal, Advocate,
for the petitioners

Mr. Sidakmeet Singh Sandhu, AAG, Punjab.

Ms.Harpreet Kaur Arora, Advocate,
for the complainant.

AMOL RATTAN SINGH, J. (Oral)

Case heard by video conferencing.

On 08.03.2021, the following order had been passed,
reproducing therein the order earlier passed by a co-ordinate Bench on
01.01.2021:-

“By this petition, the petitioner seeks the concession of 'anticipatory bail' upon FIR no.082, dated 31.05.2021, having been registered at Police Station Sadar Dhuri, District Sangrur, alleging therein the commission of offences punishable under Sections 341, 323, 427 and 506 of the IPC read with Section 34 of the IPC.

On 01.01.2021, the following order had been passed:-

“Counsel for the petitioner, inter alia, submits that the petitioner was exonerated by the investigating agency on 07.02.2016 in the FIR (Annexure P-2) and thereafter, he went to Saudi Arabia on 25.08.2016 (Annexure P-6). In the intervening period, he was summoned vide order dated 20.05.2017 under Section 319 Cr.P.C. (Annexure P-3) and was declared Proclaimed Person on 01.09.2017 (Annexure P-4). The co-accused have been acquitted vide judgment dated 30.08.2019 (Annexure P-5) and he has also filed Revision Petition against the order of proclamation (Annexure P-7). It is, thus, submitted that the dismissal

of the anticipatory bail on the ground of being declared as Proclaimed Person and the order which has not been challenged, at that stage, had pre-judged the mind of the Addl.Sessions Judge. It is further contended that the petitioner would also not be able to appear before the revisional Court, in such circumstances.

Notice of motion for 08.03.2021.

Mr.Thind accepts notice on behalf of the State.

In the meantime, petitioner shall join investigation and in the event of arrest of the petitioner, he shall be released on ad-interim bail subject to the satisfaction of the investigation officer.

The petitioner shall join investigation as and when required and shall comply with the conditions laid down in Section 438(2) Cr.P.C.”

Learned State counsel submits that the petitioner has joined investigation but in any case he having been summoned by the trial court under the provisions of Section 319 of the Cr.P.C., the State does not require his custodial interrogation (as per his instructions).

Adjourned to 17.03.2021.

The trial court is directed to send its report as to whether the petitioner is regularly appearing before it or not.

Interim order to continue till the next date of hearing”.

Today, the report of the learned JMIC, Dhuri, dated 16.03.2021, has been received, stating to the effect that the petitioner has never appeared before that court after he was admitted to anticipatory bail by this court court.

Learned counsel for the petitioner submits that since, vide the order dated 01.01.2021, he was ordered to appear before the investigating officer, he did so and was admitted to anticipatory bail; and now, upon directions of this court, he would obviously appear before the trial court also.

The petitioner is directed to appear before the trial court within one week from today and naturally, would continue to appear before that court as and when summoned by it.

Subject to the petitioner continuing to appear before that court as and when summoned (unless exempted on any particular date by that court itself), he would continue to remain on bail on the same bail and surety bonds already furnished by him, pursuant to the order dated 01.01.2021.

The petition is accordingly disposed of.

Naturally, if he does not appear before the trial court within one week from today, this order shall be deemed to have not been passed and the interim order passed in his favour on 01.01.2021, shall stand vacated.

March 17, 2021

dharamvir/

(AMOL RATTAN SINGH)
JUDGE

Whether speaking/reasoned : YES/NO
Whether Reportable : YES/NO