

202-B

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.48176-2019

Date of Decision:28.07.2021

Sarabjit Singh

.....Petitioner

Vs

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE RAJ MOHAN SINGH

Present:Mr.Sandeep Kumar, Advocate
for the petitioner.

Mr. Amar Ashok Pathak, Addl. A.G. Punjab.

RAJ MOHAN SINGH, J. (Oral)

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

Petitioner seeks grant of anticipatory bail under Section 438 Cr.P.C in case bearing FIR No.0184 dated 10.10.2019 registered under Section 379-B of IPC, at Police Station Sadar Kapurthala, District Kapurthala.

On 22.01.2020, following order was passed:-

“Learned counsel for the petitioner has inter alia argued that in the present case the petitioner was not named in the FIR and it was on the basis of disclosure statement of the co-accused that he was nominated. Learned counsel has stated that it is a case where allegation against the petitioner is snatching of the motor cycle. Learned counsel for the petitioner has further submitted that it is a false story concocted by the police and therefore, petitioner is entitled to the concession of anticipatory bail.

Notice of motion for 23.03.2020.

On asking of the Court Mr. M.S. Nagra, AAG, Punjab accepts notice on behalf of the respondent – State.

Copy of the petition has been supplied to the learned State counsel during the course of proceedings.

Learned State counsel on instruction from ASI Iqbal Singh states that although the petitioner was nominated thereafter, on the basis of the disclosure statement but matter is serious in nature. Therefore, petitioner is not entitled for the concession of anticipatory bail. He has further stated that motor cycle has already been recovered.

In response thereto, learned counsel for the petitioner has specifically undertaken to join and fully co-operate with the investigation process.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds/surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall 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.”

22nd January, 2020

Shivani Kaushik

**[JASGURPREET SINGH PURI]
JUDGE**

Learned counsel for the petitioner submits that in compliance of the order dated 22.01.2020, petitioner has joined the investigation to the entire satisfaction of the Investigating Officer.

Learned State counsel, on instructions from ASI Jaswinder Singh, admits the aforesaid fact and submits that the petitioner is no more required for further investigation in the case. Learned State counsel further states that even challan has been submitted.

In view of above interim order dated 22.01.2020 is made absolute. However, the petitioner shall keep on appearing before trial Court on each and every date.

Petition stands disposed of accordingly.

28.07.2021
Amandeep

(RAJ MOHAN SINGH)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No