

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Criminal Misc.-M No.49848 of 2019
Date of Decision: June 28, 2021

Ashok Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Sukhdeep Singh Sidhu, Advocate,
for the petitioner.

Mr. Ramandeep Sandhu, Sr.DAG, Punjab.

Mr. S.P.S.Sidhu, Advocate,
for the complainant.

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.249 dated 24.10.2019, under Sections 420 and 506 IPC 1860, registered at Police Station, Canal Colony, Bathinda, District Bathinda. The petitioner apprehended his arrest at the hands of police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 25.11.2019, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner has placed reliance upon order dated 20.11.2019 passed by this Court in CRM-M-

49227-2019 whereby concession of interim anticipatory bail has already been granted to co-accused. He further contends that in FIR No. 75 dated 27.05.2016 registered under Sections 420, 34 IPC at Police Station Canal Colony, Bathinda, the petitioner was arraigned as an accused at a later stage and the allegations contained in the present FIR No. 249 dated 24.10.2019 registered under Sections 420, 506 IPC at Police Station Canal Colony Bathinda have already been looked into by the investigating officer during the investigation of FIR No. 75.

Notice of motion for 16.04.2020.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

At this stage, Mr. S.P.S Sidhu, Advocate appears on behalf of complainant and filed his power of attorney.

To be heard along with CRM-M-49227-2019.”

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 Bhupinder Singh, does not dispute this fact that the petitioner has joined the investigation. Learned counsel, on instructions, further states that the petitioner 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 25.11.2019 is made absolute.

June 28, 2021
ramesh

(MANOJ BAJAJ)
JUDGE

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