

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(201)

CRM-M-55740-2019

Date of decision: - 10.11.2021

Devan Sharma

....Petitioner

Versus

State of Union Territory Chandigarh

.....Respondent

CORAM : HON'BLE MR. JUSTICE HARSIMRAN SINGH SETHI

Present:- None for the petitioner.

Mr. Yashwant Singh Rathore, APP, U.T., Chandigarh
with Ms. Sudha Singh, Advocate and
Mr. Yuvraj Singh Rathore, Advocate

(Through Video Conferencing)

HARSIMRAN SINGH SETHI, J. (ORAL)

The present petition has been filed under Section 438 Cr.P.C.
for the grant of anticipatory bail to the petitioner in respect of FIR No.195
dated 27.09.2019 registered under Sections 323, 341, 379, 356, 147 and
149 IPC, at Police Station West, Sector 11, Chandigarh.

On 16.01.2020, the following order has been passed by a
Co-ordinate Bench of this Court: -

“Learned counsel for the petitioner has submitted that the
petitioner is a young boy of 18 years of age and is a student of Class 10th.
The learned counsel has further submitted that besides these two cases,
the petitioner has never been involved in any criminal activity.

Learned State counsel opposed the petitioner by submitting that
the petitioner did not cooperate during the course of investigation.

Heard.

List on 27.03.2020.

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(s) shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

Photocopy of this order be placed on the file of other connected case.”

Learned counsel appearing on behalf of the U.T., Chandigarh, on instructions from SI Lakhwinder Singh, states that in terms of the order of a Co-ordinate Bench of this Court reproduced before, the petitioner has joined the investigation and is not required for further interrogation, at this stage.

In view of the above, the order dated 16.01.2020 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 co-operating, it will be at liberty to approach this Court for passing appropriate orders.

The present petition stands disposed of.

November 10, 2021
naresh.k

(HARSIMRAN SINGH SETHI)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes
No