

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(201)

CRM-M-480-2022

Date of decision: - 11.02.2022

Vikas

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Digvijay Nagpal, Advocate, for the petitioner.

Mr. Sarabjit Singh Cheema, AAG, Punjab.

(Through Video Conferencing)

VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.29 dated 22.02.2021, under Sections 452, 323, 148 and 149 of the Indian Penal Code, 1860 (Sections 307 and 365 of the IPC were added later on), registered at Police Station City-1 Abohar, District Fazilka.

On 10.01.2022, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“Heard through video conferencing.

The petitioner is seeking anticipatory bail in FIR No. 0029 dated 22.02.2021, under Sections 452, 323, 148 and 149 of the Indian Penal Code, 1860 (‘IPC’ - for short) (Sections 307 and 365 of the IPC were added later on), registered at Police Station City-1 Abohar, District Fazilka.

Learned counsel for the petitioner contends that the petitioner has only been attributed a simple injury. The incident was allegedly

video recorded. Although several accused are shown in the recording, but the petitioner was not present at the spot.

Issue notice to the respondent.

At the asking of the Court, Mr. Dhruv Dayal, Senior DAG, Punjab, accepts notice on behalf of the respondent-State and prays for time to file reply.

List on 11.02.2022.

In the meantime, the petitioner is directed to appear before the investigating/arresting officer and join investigation.

In the event of his arrest, the investigating/arresting officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions as envisaged under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner as well as learned State counsel, on instructions from ASI Gurmail Singh, have submitted that in pursuance of the above order, the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition for grant of anticipatory bail to the petitioner is allowed and the interim order dated 10.01.2022 is made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

February 11, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No