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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-1453-2022 (O&M)
Date of Decision:18.05.2022

Gagandeep Singh @ Gagga

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Randeep Singh, Advocate for
Mr. Vipin Mahajan, Advocate for the petitioner.

Mr. Sandeep Singh Deol, DAG, Punjab.

...

Manoj Bajaj, J. (Oral)

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.28 dated 13.03.2021 under Sections 306 and 34 Indian Penal Code, 1860, (Section 3(2)(v) SC/ST Act added later on), registered at Police Station Sadar, Gurdaspur, District Gurdaspur, who apprehends his arrest at the hands of Police.

On 13.01.2022, this Court had passed the following order:-

“Learned counsel has argued that after registration of FIR No.28 dated 13.03.2021, under Sections 306 and 34 IPC at Police Station Sadar Gurdaspur, District Gurdaspur, the concession of pre arrest bail was extended to the petitioner vide order dated 02.04.2021 (Annexure P-3). He has pointed out that after completion of investigation, the final report was submitted and during trial, upon an application moved by complainant, the offence punishable under Section 3(2)(v) Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 has been added, which has again given rise to the apprehension of arrest to the petitioner. According to him, in this background, the custodial interrogation of the petitioner may not be necessary.

Notice of motion for 18.05.2022.

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 her 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”

Learned counsel for the petitioner has stated that in compliance of the above order, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by ASI Manjeet Singh, states that indeed the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 13.01.2022 is made absolute.

18.05.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No