

**206-A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-1861-2021

Date of decision-25.01.2022

Naib Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. K.S.Brar, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

Mr. D.S.Malwai, Advocate for the complainant.

MANOJ BAJAJ, J.

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 21.11.2020 under Sections 306 and 34 Indian Penal Code, 1860 registered at Police Station Maur, District Bathinda, who apprehends his arrest at the hands of Police.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 22.09.2021, whereby the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel for the petitioner(s) contends that as per prosecution petitioner(s) had given beatings to the victim Gurjit Singh on 07.11.2020, and the said occurrence has been set up as an abetment to suicide, committed by victim on 21.11.2020. He submits that the complainant has falsely implicated the petitioner(s), without there being any material to substantiate the alleged beatings to the victim, particularly in the absence of any

suicide note.

Learned State counsel has pointed out that though this Court has stayed the arrest of the petitioner(s), but they are yet to join the investigation.

Adjourned to 24.01.2022.

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

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

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 Surjit Singh does not dispute this fact that the petitioner has joined the investigation. He further states that the petitioner 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 22.09.2021 is made absolute.

(MANOJ BAJAJ)
JUDGE

25.01.2022

vanita

Whether speaking/reasoned :

Yes

No

Whether Reportable :

Yes

No