

206-A

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

CRM-M-3495-2022

Date of decision : 08.12.2022

Sanju

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Abhimanyu Singh, Advocate for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Lovish Rattan, Advocate for
Mr. Surinder Sharma, Advocate for the complainant.

VIKAS BAHL, J. (ORAL)

Prayer in the present petition is for grant of anticipatory bail to the petitioner in FIR No.246 dated 18.10.2021 registered under Sections 341, 323, 427, 506, 148, 149 of the Indian Penal Code, 1860 (Section 379-B of IPC has been added later on) at Police Station City Phagwara, District Kapurthala.

On 28.01.2022, a Coordinate Bench of this Court was pleased to pass the following order:-

“Notice of motion.

*To come up alongwith CRM-M-832-2022 on
29.3.2022.*

In the meanwhile, in the event of arrest of petitioner,

he shall be released on interim anticipatory bail to the satisfaction of Arresting/Investigating Officer. He will join investigation as and when called for and cooperate in same. He will abide by conditions of Section 438 (2) Cr.P.C.

Sd/-(HARINDER SINGH SIDHU)

JUDGE

28.1.2022”

Thereafter, on 23.11.2022, this Court had passed the following order:-

“Learned State counsel, on instructions from ASI Sunil Kumar, has submitted that the petitioners have not joined the investigation.

Last opportunity is granted to the petitioners to join the investigation.

Adjourned to 08.12.2022.

The petitioners are again directed to join the investigation on 01.12.2022 at 11:00 AM.

Interim order to continue.

A photocopy of this order be placed on the files of connected cases.”

Learned counsel for the petitioner has submitted that in pursuance of the abovesaid orders, the petitioner has joined the investigation.

Learned counsel for the State, on instructions from ASI Sunil Kumar, has submitted that the petitioner has joined the investigation and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 28.01.2022 and also the fact that the petitioner has joined the investigation and is not

required for further custodial interrogation, the present petition is allowed and the interim order dated 28.01.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an 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.

08.12.2022

Pawan

**(VIKAS BAHL)
JUDGE**

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No