IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-6189-2022
Date of decision : 20.07.2022

Sahil Garg

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MR.JUSTICE VIKAS BAHL

Present: Mr.P.K.S.Phoolka, Advocate
for the petitioner.

Mr.Sarabjit Singh Cheema, AAG, Punjab.

VIKAS BAHL, J.(ORAL)

This is a first petition under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR no.112 dated 05.09.2021 registered under Sections 452, 323, 34 IPC at Police Station Nehianwala, District Bathinda.

On 14.02.2022, a coordinate Bench of this Court was pleased to pass the following order:-

> *"The matter has been taken up through video conferencing.*
>
> *Learned counsel for the petitioner inter alia contends that the petitioner is a 19 years old boy with no criminal antecedents; he has been falsely implicated in this case only because his father and brother are the main accused; co-accused Ashok Kumar and Happy alias Chinu have already been granted regular bail by the Trial Court; even if the case of the prosecution is taken as the gospel truth, though vehemently denied, only a simple injury is attributed to the petitioner and that the petitioner is also ready and willing to join and cooperate with the investigating agency as and when called by it.*
>
> *Notice of motion.*

DAVINDER KUMAR
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Ms. Gunkirat Kaur, AAG, Punjab accepts notice on behalf of the respondent-State.

For arguments, adjourned to 20.07.2022.

In the meanwhile subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of his arrest in FIR No. 112 dated 05.09.2021 registered under Sections 452, 323, 34 IPC at Police Station Nehianwala, district Bathinda, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer.

14.02.2022 ***(DEEPAK SIBAL)***
JUDGE"

Learned counsel for the petitioner has submitted that in pursuance of the said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Resham Singh has submitted that the petitioner has joined investigation on 23.04.2022 and **is** not required for further investigation.

Keeping in view the above said facts and circumstances moreso, the facts which have been noticed in the order dated 14.02.2022, and also the fact that the petitioner has joined the investigation and is not required for further investigation, the present petition is allowed and the interim order dated 14.02.2022 is made absolute.

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 petition.

(VIKAS BAHL)
JUDGE

July 20, 2022
Davinder Kumar

Whether speaking / reasoned Yes/No
Whether reportable Yes/No

DAVINDER KUMAR
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