

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

CRM-M-8436-2020

Date of decision-31.01.2022

Jugraj Singh

...Petitioner

Vs.

State of Punjab and another

...Respondents

CORAM:- HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Kanwar Pahul Singh, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab.

MANOJ BAJAJ, J.

Petitioner has approached this Court under Section 438 Code of Criminal Procedure to seek anticipatory bail in case FIR No.156 dated 26.08.2019 under Sections 304 and 34 Indian Penal Code, 1860 and Section 21 Mines and Minerals (Regulation of Development) Act, 1957 and Section 3 Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 registered at Police Station Ajnala, Amritsar, who apprehends his arrest at the hands of Police.

On 27.02.2020, this Court had passed the following order:-

“Through this petition under Section 438 Cr.P.C., prayer has been made for grant of anticipatory bail to the petitioner in case FIR No. 156 dated 26.08.2019 registered under Section 304 read with Section 34 IPC, 21 of the Mines and Minerals (Regulation of Development) Act, 1957 and Section 3 of the Scheduled Caste and Scheduled Tribe (Prevention of Atrocities) Act, 1989 at Police Station Ajnala, District Amritsar.

According to prosecution, son of complainant died while working with the petitioner due to his negligence.

Learned counsel inter alia contends that petitioner has falsely been implicated in the instant case. He did not ever act negligently. Even otherwise, parties have compromised the matter. Thus, petitioner is not required for custodial interrogation.

Notice of motion for 21.05.2020.

In the meanwhile, the petitioner is directed to join

investigation as and when called by the Investigating Officer. In the event of arrest, he shall be released on interim bail subject to the satisfaction of the Arresting/Investigating Officer. He shall remain bound by the conditions envisaged under Section 438 (2) Cr.P.C.”

Learned counsel for the petitioner has argued that the victim was a labourer who was working in a pit when large piece of rock fell upon him and resulted in his death. According to him, in compliance of the order dated 27.02.2020, the petitioner associated himself in the investigation and cooperated during interrogation.

Learned State counsel who is instructed by ASI Ranjit 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 27.02.2020 is made absolute.

(MANOJ BAJAJ)
JUDGE

31.01.2022

vanita	Whether speaking/reasoned :	Yes	No
	Whether Reportable :	Yes	No