

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

CRM-M-12141-2021
Date of Decision:-**26.08.2022**

AMANDEEP SINGH ALIAS BUNTY

... Petitioner(s)

Versus

STATE OF PUNJAB

... Respondent(s)

-.-

CORAM: HON'BLE MR. JUSTICE KARAMJIT SINGH

-.-

Present:- Mr. Ashish Gupta, Advocate
for the petitioner.

Mr. Chaman Lal Pawar, Addl. A.G. Punjab.

-.-

KARAMJIT SINGH, J. (Oral)

Prayer is for grant of anticipatory bail in case having FIR No.15 dated 25.1.2021 registered under Sections 420, 120-B IPC at Police Station Sadar Kotkapura, District Faridkot.

Counsel for the petitioner submits that the petitioner has joined investigation with the police in the light of the order of interim bail dated 14.2.2022.

State counsel on instructions ASI Sukhwinder Singh has admitted this fact and further submitted that after the completion of

investigation the police has presented the challan and now the petitioner is not required by police for further investigation or for custodial interrogation.

On the last date of hearing, the following orders were passed by this Court

“Short reply by way of affidavit of Ramandeep Singh Bhullar, DSP, Sub Division Kotkapura filed on behalf of respondent State is ordered to be taken on record.

Counsel for the petitioner submits that the petitioner has joined the investigation with the police. He further contends that first complaint lodged by the complainant on the basis of same allegations was found to be false by the police after the matter was inquired and the said inquiry report is Annexure P-2 which was submitted by DSP(D), Faridkot on 19.6.2020. Counsel further contends that thereafter, the complainant filed another complaint on the basis of same allegations against the present petitioner and 3 other persons without disclosing about the first complaint lodged by him which was filed by the police. Counsel further contends that present FIR is based on the said second complaint and as such is totally illegal.

On query being put to the State counsel, she prays for time to seek necessary instructions as to whether the second complaint was filed by the complainant without disclosing to the police about the fate of his first complaint which was filed vide inquiry report Annexure P-2.

Now be listed on 26.8.2022.

Interim order to continue till then.”

Admittedly, the petitioner has already joined investigation and the police has already presented challan against the petitioner, after the completion of investigation.

In view of the above and without commenting on the merits of the case, no purpose is going to be served even if the petitioner is subjected to custodial interrogation. Consequently, present petition is hereby allowed and order dated 14.2.2022 is hereby made absolute. The petitioner should abide by the conditions envisaged under Section 438(2) Cr.P.C.

26.08.2022
Gaurav Sorot

(KARAMJIT SINGH)
JUDGE

Whether reasoned / speaking? Yes / No

Whether reportable? Yes / No