

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(201)

CRM-M-14363-2022

Date of decision: - 24.05.2022

Ninder Pal @ Nahinder Pal

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Harpal Singh Sidhu, Advocate
for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioners in case FIR No.17 dated 27.02.2022, under Section 379 IPC, registered at Police Station Mehatpur, District Jalandhar.

On 05.04.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that in the present case, the petitioner has been falsely implicated and is not involved in any other case. It is further submitted that recovery of Amplifier has already been made from Gulzar Ram @ Kaka.

Notice of motion.

On asking of the Court, Mr. Sarabjit S. Cheema, AAG, Punjab appears and accepts notice on behalf of State of Punjab and seeks time to get instructions.

Adjourned to 24.05.2022

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

(VIKAS BAHL)
JUDGE”

05.04.2022

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

Learned State counsel, on instructions from HC Hans Raj, has submitted that the petitioner has joined the investigation on 08.04.2022 and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 05.04.2022 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 05.04.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final 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.

(VIKAS BAHL)
JUDGE

May 24, 2022
naresh.k

Whether reasoned/speaking?
Whether reportable?

Yes
No