

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(207-2)

CRM-M-15143-2022

Date of decision: - 22.11.2022

Sarwan Singh

....Petitioner

Versus

State of Punjab

.....Respondents

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Arjun Veer Sharma, Advocate, for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

VIKAS BAHL, J. (ORAL)

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.27 dated 22.03.2022, under Section 379 IPC and Section 21 of the Mines & Minerals (Development and Regulation) Act, 1957, at Police Station Payal, District Ludhiana.

On 08.04.2022, the Co-ordinate Bench of this Court was pleased to pass the following order:-

“Notice of motion for 30.08.2022.

Meanwhile, the petitioners shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on their furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioners shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

A photocopy of this order be placed on the file(s) of connected case(s).

April 08, 2022

(MANOJ BAJAJ)
JUDGE”

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 ASI Gurpartap Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances, more so, 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 08.04.2022 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.

November 22, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No