

210 IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-16456 of 2022(O&M)

Date of Decision: 19.12.2022

Ramesh Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM :HON'BLE MR. JUSTICE KARAMJIT SINGH

Present:- Mr. Mayur Karkra, Advocate
For the petitioner.

Mr. C.L. Pawar, Addl. AG, AAG Punjab.

KARAMJIT SINGH, J.

The present petition has been filed by the petitioner under Section 438 Cr.P.C. seeking anticipatory bail in case having FIR No. 207 dated 22.09.2021, registered under Sections 307, 324 and 395 IPC and Section 25 of Arms Act at Police Station Passiana, District Patiala.

FIR in the present case was registered on statement of Surinder son of Ramesh wherein he alleged that on 21.09.2021 complainant was going in truck No. HR56A-7140 from Mandi Gobindgarh to Uchana Mandi Jind and the truck was loaded with 16 tons of iron rods and iron *patis* and on the way it was intercepted by 5 persons who came in a Innova car No. PB11CL-7420 and one of them was armed with pistol while others were having iron rods and one was having pointed *sua*. The said persons gave iron rod blows to the complainant and the person who was armed with *sua* gave its blow to the complainant and other accused pointed pistol towards the

Thereafter one another Beat Car bearing PB35B-9002 also came at the spot and then the said persons forcibly took away the truck of the complainant towards Patiala side.

The counsel for the petitioner submits that the petitioner who is falsely implicated in the present case, has joined the investigation with the police in pursuance of the order of interim bail passed by this Court. The counsel for the petitioner further submits that Innova and Beat cars involved in the occurrence were not owned by the petitioner and that recovery of the truck and stolen material is already effected by the police.

The State counsel on instructions from ASI Norata Ram has submitted that the recoveries are already effected in the present case and the petitioner has joined the investigation with the police and is not required by the police for any further investigation or custodial interrogation.

In the light of the above, without commenting on the merits of case, the instant petition is allowed and order of interim bail dated 29.04.2022 is made absolute subject to conditions envisaged under Section 438(2) Cr.P.C.

19.12.2022
Jiten

(KARAMJIT SINGH)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No