

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

203-2

CRM-M-16854-2022
Decided on :05.07.2022

Krishan Lal

. . . Petitioner

Versus

State of Punjab

. . . Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

PRESENT: Mr. Amit Dhawan, Advocate
for the petitioner.

Mr. Sarabjit S. Cheema, AAG, Punjab.

VIKAS BAHL, J. (Oral)

This is a petition for grant of anticipatory bail to the petitioner in FIR No. 21 dated 11.01.2022 registered under Sections 420, 379-B and 120-B of the Indian Penal Code, 1860 (Sections 468, 471 and 473 IPC added later on) registered at Police Station Zirakpur, District SAS Nagar, Mohali.

On 25.04.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that although the petitioner has not been named in the FIR and no role has been attributed to him but as per the prosecution story, the petitioner is now being stated to be one Mr. Kapoor who has been named in the FIR and even against Mr. Kapoor, there are no allegations of snatching bag containing the amount of Rs.10,00,000/-, as mentioned in the FIR. It is further submitted that co-accused of the petitioner namely Balwinder Singh, who is the main accused, had also applied for the anticipatory bail and this Court vide order dated 24.03.2022 was pleased to issue

notice of motion for 11.05.2022 and also granted the interim protection to the said petitioner and also directed him to pay the balance amount of Rs.3,00,000/- by preparing a demand draft in the name of complainant. It is further contended that in case, the said amount of Rs.3,00,000/- is paid, which, as per his instructions, has already been paid, the entire amount as mentioned in the impugned order, would also stand paid.

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 11.05.2022.

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.

To be heard alongwith CRM-M-12247-2022. ”

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

Learned counsel for the State has submitted that the petitioner has joined the investigation on 06.05.2022 and is not required for any further custodial interrogation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 25.04.2022 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 25.04.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as an 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

July 5th,2022
Mehak

Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No