

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(203)

CRM-M-17601-2022

Date of decision: - 11.07.2022

Satish Kumar

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Naveen Batra, Advocate, for the petitioner.

Mr. Dhruv Dayal, Senior 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.97 dated 27.06.2021, under Sections 420 and 406 IPC and Section 24 of the Immigration Act, registered at Police Station Nangal, District Rupnagar.

On 28.04.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that in the present case, even as per the prosecution, an amount of Rs.70,000/- was given to the petitioner and has further stated that the matter has been compromised and the complainant-Sardha Singh has given an affidavit reiterating the fact of the said compromise with the accused persons including the present petitioner.

Learned counsel for the petitioner has further relied upon order dated 18.04.2022 (Annexure P-3) granting bail to the co accused persons, in which, it has been observed that the complainant has come present and even the victim-Manjit Singh has also come present and have given the statement that the matter has been compromised.

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 11.07.2022.

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.”

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 ASI Gurnam 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 moreso, the facts which have been noticed in abovesaid order dated 28.04.2022 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 28.04.2022 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.

July 11, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?	Yes
Whether reportable?	No