

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(208-2)

CRM-M-18024-2022

Date of decision: - 22.11.2022

Sagar @ Sagar Bhatti

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- None for the petitioner.

Mr. Tarun Aggarwal, Sr. DAG, Punjab.

Mr. Vikas Bali, Advocate, for the complainant.

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.120 dated 05.11.2021, under Sections 452, 323, 148 and 149 IPC (Section 325 IPC has been added later on), at Police Station Division D, District Police Commissionerate, Amritsar.

On 29.04.2022, the Co-ordinate Bench of this Court was pleased to pass the following order:-

“1. An FIR No. 120 of 05.11.2021, is registered against the bail applicants – petitioners, at Police Station Division D. District Police Commissionerate, Amritsar, and, constitutes therein offences under Sections 452, 323, 148, 149 of the IPC (Section 325 of the IPC added subsequently).

2. Notice to respondent.

3. Mr. Bhupender Beniwal, Assistant Advocate General, Punjab, waives service of notice on behalf of the respondent, and, is directed to file, within two weeks hereafter, a detailed reply / status report on affidavit to the petition.

4. *For the afore purpose, list on 31.05.2022.*

5. *In the meanwhile, and, till further orders, the Arresting / Investigating Officer may not arrest the bail-applicant. However, the afore interim order is subject to the bail applicant furnishing, personal and surety bonds in the sum of Rs. 25,000/- each, to the satisfaction of the Arresting / Investigating Officer, and also with an undertaking therein, that as and when he is summoned by the investigating officer, through a written Hukamnama, he will cooperate in the investigations to be made into the offence(s) concerned.*

6. *Dasti copy.*

(SURESHWAR THAKUR)
JUDGE

April 29, 2022"

Learned State counsel, on instructions from ASI Parveen Kumar, 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 facts which have been noticed in abovesaid order dated 29.04.2022 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 29.04.2022 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