

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(202)

CRM-M-21423-2022

Date of decision: - 31.05.2022

Amritpal Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. S.P.S. Aulakh, Advocate, for the petitioner.

Mr. Sarabjit S. Cheema, AAG, 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.40 dated 06.04.2022, under Section 67-B of the Information Technology Act, 2000, registered at Police Station Samrala, Police District Khanna, District Ludhiana.

On 18.05.2022, this Court was pleased to pass the following order:-

“Learned counsel for the petitioner inter alia contends that the mobile phone in question is not in the name of the petitioner and the petitioner has never been involved in any other case and is a young boy of 21 years of age. It is further submitted that the petitioner is ready to join the investigation and ready to hand over his mobile phone and sim card.

Notice of motion for 31.05.2022.

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.”

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 Shingara Singh, has submitted that the petitioner has joined the investigation on 25.05.2022 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 18.05.2022 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 18.05.2022 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.

May 31, 2022
naresh.k

(VIKAS BAHL)
JUDGE

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No