

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH.

104

CRM-M-24128-2022

Date of Decision: 30.05.2022

SAJAN

.....PETITIONER

Versus

STATE OF PUNJAB

.....RESPONDENT

CORAM: HON'BLE MR. JUSTICE SURESHWAR THAKUR

Present: Mr. Maninder Singh Bajwa, Advocate
for the petitioner.

Mr. Harpreet Singh Multani, AAG, Punjab.

SURESHWAR THAKUR, J. (ORAL)

1. The instant petition has been filed under Section 438 Cr.P.C., wherein the petitioner seeks the indulgence of anticipatory bail.
2. In FIR bearing No.72 of 12.03.2018, registered at Police Station City Tarn Taran, District Tarn Taran, offences constituted under Sections 419 and 420 IPC, are embodied.
3. Since this court through orders made on 06.04.2022, and, on 25.04.2022, as respectively carried in Annexures P-2 and P-3, and, made qua the co-accused concerned, has rather accorded to them the indulgence of pre-arrest bail. In consequence, when the learned State Counsel, has not been able to today, unfold any material, suggestive that the role of the present bail petitioner is more grave or more heinous, than the ones, as attributed to the bail petitioners in Annexures P-2, and, P-3.
4. Therefore, this Court does not deem it fit, and, appropriate to order for the custodial interrogation of the petitioner, as it would unnecessarily fetter, and, curtail his personal liberty.

5. Consequently, in view of the above, parity of treatment is to be meted to the present bail petitioner along with the bail petitioners qua whom orders respectively embodied in Annexures P-2, and, in P-3, became pronounced by this Court.

6. Moreover, when, at this stage, no evidence is adduced before this Court by the prosecution, suggestive of the fact, that in the event of the petitioner, becoming admitted to anticipatory bail, there is every likelihood of his fleeing from justice, and, tampering with the prosecution evidence. In consequence, this Court becomes constrained to admit the present petitioner to anticipatory bail.

7. In aftermath, the bail applicant-petitioner is admitted to anticipatory bail, and, in the event of his arrest, he may not be arrested by the investigating officer concerned. However, subject to the bail applicant-petitioner furnishing personal, and, surety bonds in the sum of Rs. 50,000/- each, to the satisfaction of the arresting officer. Furthermore, the bail applicant-petitioner shall also give an undertaking before the arresting officer, that as and when he is summoned through a written Hukamnama, he shall ensure his rendering cooperation to the investigating officer.

8. Disposed of.

9. The afore observations are meant only for the disposal of the present petition, and, shall not affect the merits of the trial arising from the FIR (supra).

(SURESHWAR THAKUR)
JUDGE

May 30, 2022
Kavneet Singh

Whether speaking/reasoned : Yes/No
Whether reportable : Yes/No