

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH
(207)

CRM-M-24410-2022 (O&M)
Date of decision: - 17.08.2022

Mandeep Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Mayur Karkra, Advocate,
for the petitioner.

Ms. Bhavna Gupta, AAG, Punjab.

VIKAS BAHL, J. (ORAL)

CRM-20668-2022

Application is allowed, as prayed for.

CRM-M-24410-2022

This is the first petition under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case FIR No.326 dated 09.09.2021, under Sections 419, 420, 465, 467, 468, 471 and 120-B IPC, registered at Police Station Kotwali, District Patiala.

On 31.05.2022, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“Learned counsel contends that the petitioner is a tenant in the property of complainant, who has been falsely implicated through FIR No.326 dated 09.09.2021 (Annexure P-1) and though the concession

of pre arrest bail was extended to the petitioner vide order dated 19.04.2022, but finally the application was dismissed as he failed to join the investigation. Learned counsel has argued that apart from the subject FIR, petitioner was implicated in another FIR No.260 dated 21.06.2021, therefore, he could not join the investigation.

Notice of motion for 17.08.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

At this stage, Mr. A.S. Mann, Advocate appears on behalf of complainant.

(MANOJ BAJAJ)
JUDGE

May 31, 2022"

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 from ASI Sukha 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 31.05.2022 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 31.05.2022 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.

August 17, 2022
naresh.k

(VIKAS BAHL)
JUDGE

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