

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(299)

CRM-M-24918-2022

Date of decision: - 29.09.2022

Sagar

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Gurinder Singh Hayer, Advocate,
for the petitioner.

Mr. Ramdeep Partap Singh, Sr. 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.146 dated 17.10.2019, under Section 420 IPC and Section 13 of the Punjab Prevention of Human Smuggling Act, 2012, registered at Police Station Mahilpur, District Hoshiarpur.

On 01.06.2022, a Co-ordinate Bench of this Court was pleased to pass the following order:-

- “1. Notice of motion.
2. Mr. M.S.Nagra, AAG, Punjab, waives service on behalf of the respondent-State.
3. List on 23.8.2022.
4. In the meantime, and, till further orders, the bail applicant-petitioner may not be arrested, by the arresting officer. However, subject to the bail applicant-petitioner

furnishing personal and surety bonds in the sum of Rs. 25,000/- each, to the satisfaction of the arresting officer. The bail applicant 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 his cooperation to the investigating officer.

(SURESHWAR THAKUR)
JUDGE

June 01, 2022"

Thereafter, on 23.08.2022, this Court was pleased to pass the following order: -

"Learned State counsel, on instructions from the investigating officer, has submitted that although, the petitioner has joined the investigation, but he has not fully cooperated with the investigating agency.

Last opportunity is granted to the petitioner to join the investigation on 01.09.2022 at 11.00 AM.

Adjourned to 26.09.2022.

Interim order to continue.

(VIKAS BAHL)
JUDGE

23.08.2022"

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 the investigating officer, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances 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 01.06.2022 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.

September 29, 2022
naresh.k

(VIKAS BAHL)
JUDGE

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