

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M-32019-2022

Date of Decision: 14.09.2022

Satnam Singh

.....Petitioner

Vs.

State of U.T. Chandigarh

.....Respondent

CORAM: HON'BLE MR. JUSTICE VIKAS BAHL

Present: Mr. Tarunveer Vashist, Advocate,
for the petitioner.

Mr. Shashank Bhandari, Addl. P.P. for U.T. Chandigarh.

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. 97, dated 12.05.2022, under Sections 420/120-B of the IPC, registered at Police Station Sector 36, Chandigarh.

On 26.07.2022, a Co-ordinate Bench of this Court was pleased to pass the following order:-

“CRM-25834-2022

The application is allowed, subject to all just exceptions, and, the petitioner is exempted from filing the copy of Aadhar Card and Voter Card.

Main case

1. Notice of motion.
2. Mr. Shashank Bhandari, Addl. P.P., U.T., Chandigarh waives service on behalf of the respondent-State.
3. List on 14.09.2022.
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)

26.07.2022

JUDGE”

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation and has further submitted that the main accused in the present case is Lakhwinder Singh alias Gagandeep Singh who was granted the concession of anticipatory bail by a co-ordinate Bench of this court vide order dated 28.07.2022, passed in CRM-M-32643-2022 on the condition that he would deposit the disputed amount of Rs. 60,000/- before the trial court concerned. It is submitted that the main accused Lakhwinder Singh alias Gagandeep Singh has deposited an amount of Rs. 60,000/- and a receipt dated 03.08.2022 regarding the same has been produced before the court which is ordered to be taken on record as Mark-A.

Learned counsel appearing for the U.T. Chandigarh, on instructions from SI Ravel Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation but the main accused Lakhwinder Singh has not joined the investigation.

Keeping in view the abovesaid facts and circumstances moreso, the facts which have been noticed in abovesaid order dated 26.07.2022 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 26.07.2022 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 14, 2022
nitin

(VIKAS BAHL)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No