

**In the High Court for the States of Punjab and Haryana
At Chandigarh**

CRM-M-32119-2022 (O&M)
Date of Decision:-27.10.2022

Gopal Verma ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Kuldeep Singh, Advocate for the petitioner.

Mr. Luvinder Sofat, DAG, Punjab,
assisted by ASI Sukhraj Singh.

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner has approached this Court seeking grant of anticipatory bail in respect of a case registered vide FIR No.0189, dated 1.7.2022, Police Station Rama Mandi, District Jalandhar Commissionerate, Jalandhar, under Sections 379-B and 34 of Indian Penal Code.
2. At the time of issuance of notice of motion, the following order was passed on 26.7.2022:

“The instant petition has been filed under Section 438 CrPC for grant of anticipatory bail to the petitioner in case bearing FIR No.189 dated 01.07.2022 under Sections 379-B and 34 of the Indian Penal Code, 1860 registered at Police Station Rama Mandi, District Jalandhar Commissionerate, Jalandhar.

Learned counsel for the petitioner contends that the name of the petitioner was arraigned as an accused on the basis of disclosure statement made by co-accused Balraj and Sandeep. The said co-accused have already been arrested and hence the motorcycle along with valuables have already been recovered. He contends that the custodial interrogation of the petitioner is not likely to advance any interest of justice and no recovery is to be effected from the petitioner. Besides, the petitioner does not suffers from any criminal antecedents and is not involved in any other case. He submits that there is a serious dispute with respect to the presence of the petitioner at the place of occurrence.

Notice of motion.

Ms. Amarjit Kaur Khurana, DAG Punjab accepts notice on behalf of the respondent-State.

To come up for further consideration on 27.10.2022.

In the meantime, the petitioner is directed to join investigation as and when so required by the Investigating Agency. In the event of petitioner joining investigation, he shall be admitted to interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Sukhraj Singh, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation. It has also been informed that the petitioner is stated to be involved in one more case for offence under NDPS Act.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide

order dated 26.7.2022 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

27.10.2022

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**(Gurvinder Singh Gill)
Judge**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No