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

CRM-M-32805-2022

Date of Decision: 28.07.2022

Karanbir Singh

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present: Mr. A.P.S. Deol, Senior Advocate assisted by
Mr. H.S. Deol, Advocate,
for the petitioner.

JASGURPREET SINGH PURI, J. (ORAL)

This is the second petition filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail to the petitioner in case bearing FIR No.4 dated 26.02.2020, under Sections 409, 204 & 120-B of the IPC (later added offence under Section 13(1)(a) read with Section 13(2) of P.C. Act/420 of the IPC vide zimni No.58 dated 02.06.2021), registered at Police Station Vigilance Bureau FS-I, SAS Nagar, Mohali.

Learned senior counsel for the petitioner has submitted that it is a case where the petitioner had earlier approached this Court and vide Annexure P-4, this Court had directed the petitioner to surrender on the basis of his willingness to come back to India and surrender before the trial Court, within a period of three weeks and he was directed to surrender on or before 06.06.2022 and till the time his surrender before the learned trial Court, it was directed that no coercive steps shall be taken against the petitioner. Thereafter,

the date of surrender was extended by this Court and thereafter, he has surrendered before the learned trial Court on 20.06.2022 and he was taken into police remand and thereafter, he was sent to the judicial custody. Thereafter, he filed an application under Section 439 of the Code of Criminal Procedure in which he was released on bail. Learned senior counsel has further submitted that the petition which was pending before this Court was ultimately disposed of as having become redundant because the petitioner has already surrendered and was taken into custody. However, the Court has again summoned the petitioner for appearance and the police has given notice for issuance of fresh arrest warrants. He also submitted that once the petitioner has been released from custody such arrest of warrants cannot be issued.

Notice of motion.

On the other hand, Mr. Davinder Bir Singh, learned Deputy Advocate General, Punjab, has stated that he has received an advance copy of the present petition and has gone through the same and he has also received instructions from DSP Vigilance Tejinder Singh and he has categorically instructions to say that the petitioner is not required for any custodial investigation and therefore, the present petition for anticipatory bail is not opposed by the learned State counsel. He further submitted that the petitioner has already joined the investigation and he is cooperating with the investigation process.

In view of the aforesaid specific statement made by the learned State counsel, the present petition is allowed. However, the petitioner is directed that in case in future, he is required for the purpose of further investigation then he shall cooperate and join the investigation as and when

called upon to do so by the I.O. and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

However, anything observed hereinabove shall not be treated as an expression of opinion on merits of the case and is only meant for the purpose of decision of present petition.

28.07.2022

Bhumika

**(JASGURPREET SINGH PURI)
JUDGE**

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| 1. Whether speaking/reasoned: | Yes |
| 2. Whether reportable: | Yes/No |