

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

CRM-M-36495-2022

Date of decision : 08.09.2022

PARAS SINGH @ HUSHANDEEP SINGHAND ANR

... Petitioners

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. P.S. Dhaliwal, Advocate for the petitioners.

Mr. Kirat Singh Sidhu, D.A.G, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

On 18.08.2022, the following order was passed:-

“The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail to the petitioners in case registered against him vide FIR No.56 dated 28.06.2022 under Sections 379/411 IPC registered with Police Station Tapa Mandi, District Barnala.

The learned counsel for the petitioners inter alia contends that the petitioners have been named in the FIR on the basis of a disclosure statement of their co-accused namely Gurlal Singh @ Jony and Jaggi Sharma, from whom the recovery of stolen motorcycle has been effected. He submits that the contents of the CCTV footage cannot be relied upon in the absence of the original camera recording and a certificate under Section 65(B)(4) of the Act.

Notice of motion.

Mr. Kirat Singh Sidhu, DAG, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 08.09.2022.

In the meantime, the petitioners are directed to appear before the SHO/Investigating Officer to join investigation on 30.08.2022 and in the event of their arrest, they shall be released on bail on their furnishing bail bonds to the satisfaction of SHO/Investigating Agency, subject to the following conditions as envisaged under Section 438(2) Cr.P.C.:-

(i) that the petitioners shall make themselves available for interrogation before the investigating officer as and when required;

(ii) that the petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case as to dissuade them from disclosing such facts to the Court or to any police officer;

(iii) that the petitioners shall not leave the country without prior permission of the Court and shall surrender their passport, if any.

Meanwhile, the State is directed to file an affidavit as to the exact role of the petitioners and their co-accused alongwith the details of pending FIRs, if any, on or before the next date of hearing.”

The learned State counsel on instructions from ASI Sarabjit Singh submits that petitioner No.1 has joined the investigation whereas petitioner No.2 has not joined the investigation. He admits the aforesaid fact and submits that petitioner No.1 is no more required for further investigation in the case.

In view of the interim order dated 18.08.2022 is made absolute qua petitioner No.1 i.e. Paras Singh @ Husandeep Singh son of Baljeet Singh.

So far as the petitioner No.2 i.e. Gori Singh @ Lovepreet Singh son of Kewal Singh is concerned, the present petition qua him stands dismissed and the interim protection granted vide order dated 18.08.2022 stands vacated qua petitioner No.2.

(JASJIT SINGH BEDI)
JUDGE

08.09.2022
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No