

224-C

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-40657-2021 (O&M)
Date of Decision: 19.01.2022

Kulwant Singh

.. Petitioner

Vs.

Sate of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MANOJ BAJAJ

Present: Mr. Gagandeep Singh, Advocate for the petitioner.

Mr. Ramdeep Partap Singh, DAG, Punjab

...

Manoj Bajaj, J. (Oral)

Petitioner has filed this petition under Section 438 Code of Criminal Procedure for grant of anticipatory bail in a case FIR No.60 dated 12.06.2021, registered under Sections 304 and 149 IPC and Sections 21 and 29 NDPS Act at Police Station Rangar Nangal, Police District Batala, District Gurdaspur. The petitioner apprehends his arrest at the hands of Police, in the above FIR.

Learned counsel for the petitioner has invited the attention of the Court to the order dated 29.09.2021, whereby while issuing notice of motion to the respondent-State, the interim protection was extended to the petitioner. The said order reads as under:-

“Learned counsel has argued that victim Sukhbir Singh died of overdose of drugs and the complainant, who is father of the victim has falsely implicated the petitioner and his other relatives. According to him, the co-accused of the petitioner have already been granted the concession of interim pre arrest bail.

Notice of motion for 17.12.2021.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for

and in the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. The petitioner shall also abide by the conditions as specified under Section 438(2) Cr.P.C.

To be heard along with CRM-M-34947-2021.”

Learned counsel for the petitioner further states that in deference to the said order, the petitioner submitted himself before the Police and joined the investigation. According to him, the petitioner cooperated with the Police Authorities during the investigation and furnished requisite bonds to the satisfaction of the Investigating Officer/Arresting Officer.

Learned State counsel, who is assisted by ASI Baldev Raj does not dispute this fact that the petitioner has joined the investigation and is not required for custodial interrogation for the time being.

Considering above, the petition is allowed and the interim bail granted by this Court vide order dated 29.09.2021 is made absolute.

19.01.2022
Jasmine Kaur

(MANOJ BAJAJ)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No