

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CRM-M-45953-2021 (O & M)

Date of decision: 15.03.2022

Satnam Singh @ Sony

..... Petitioner

V/s

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Mr. R.K. Grewal, Advocate, for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

JASJIT SINGH BEDI, J. (Oral)

Petitioner seeks grant of the anticipatory bail under Section 438 Cr.P.C. in a case bearing FIR No.84 dated 18.08.2021 under Sections 380, 457 and 34 IPC and Section 411 IPC (added later on) registered with Police Station Hathur, District Ludhiana, Punjab.

On 02.11.2021, following order was passed by this Court:-

“Heard through video conferencing.

Instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 seeking anticipatory bail in case FIR No.84 dated 18.08.2021 under Sections 380, 457 and 34 of the Indian Penal Code, 1860 (Section 411, IPC was added later on), registered at Police Station Hathur, District Ludhiana, Punjab.

Counsel for the petitioner submits that though the petitioner has been named as one of the five accused in the FIR, Annexure P-1, lodged by Gurtej Singh, wherein it has been alleged that they have stolen his cattle, but recovery of the cattle has been effected from the co-accused, who have been arrested, and custodial interrogation of the petitioner is not required. She further submits that the petitioner, who has a

clean past, is ready to join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Mr. Prabhjot Singh Walia, AAG, Punjab accepts notice on behalf of respondent-State. Upon instructions from, SI, Jarnail Singh, he submits that accused, Sukhchain Singh @ Babbu, and his father, Dilbagh Singh, have been arrested from whom recovery of stolen cattle has been effected.

List on 15.03.2022.

Meanwhile, the petitioner shall join the investigation and would come present as and when called for and in the event of arrest, he shall be admitted to interim bail on his furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

However, learned State counsel submits that the petitioner has joined investigation in terms of order dated 02.11.2021 and is not required for custodial interrogation.

In this view of the matter, interim order dated 02.11.2021 is made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

March 15, 2022
sukhpreet

Whether speaking/reasoned	: Yes/No
Whether reportable	: Yes/No