

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

210

CRM-M-47089-2021

Date of Decision:25.03.2022

Agyapal Singh @ Ajaypal Singh

.....Petitioner

Vs.

State of Punjab

.....Respondents

CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA

Present: Mr. Joginder Pal Devgan, Advocate for the petitioner.

Ms. Jaspreet Kaur, AAG, Punjab.

ANOOP CHITKARA J. (ORAL)

Learned counsel for the petitioner submits that the petitioner had joined the investigation.

On the contrary, learned State counsel, on instructions received from the concerned police official submits that the petitioner has not joined.

Given above and keeping in view the nature of allegations, petition is allowed and the interim order dated 10.11.2021 is made absolute, subject to the following conditions:-

1. Petitioner shall surrender all weapons, firearms, ammunition, if any, along with the arms license to the concerned authority within ten days from today and inform the Investigator about the compliance. However, subject to the Indian Arms Act, 1959, he shall be entitled to renew and take it back in case of acquittal in this case.
2. Within ten days, the petitioner shall mention details of all assets, held either individually or jointly, including bank balances, fixed deposits, DEMAT Accounts, to the Investigator and its copy to the complainant/victim(s).
3. During the trial's pendency, if the petitioner repeats or commits any offence or violates any condition as stipulated in this order, it shall always be permissible to the respondent to apply for cancellation of this bail. It shall

further be open for any investigating agency to bring it to the notice of the Court seized of the subsequent application that the accused was earlier cautioned not to indulge in criminal activities. Otherwise, the bail bonds shall continue to remain in force throughout the trial and after that in terms of Section 437-A of the Cr.P.C.

4. The petitioner shall not influence, browbeat, pressurize, make any inducement, threat, or promise, directly or indirectly, to the witnesses, the Police officials, or any other person acquainted with the facts and the circumstances of the case, to dissuade them from disclosing such facts to the Police, or the Court, or to tamper with the evidence.
5. Within ten days from today, the petitioner shall procure a smart phone and inform its IMEI number and other details to the SHO/I.O. of the Police station mentioned before. The petitioner shall always keep the phone location/GPS on the "ON" mode. Whenever the Investigating officer asks to share the location, the petitioner shall immediately do so. The petitioner shall neither clear the location history, WhatsApp chats, calls nor format the phone without permission of the concerned SHO/I.O. This condition shall continue till the completion of the trial or closure of case, whatever is earlier.

In case, petitioner fails to comply with the above conditions, State as well as complainant may file application for cancellation of bail.

(ANOOP CHITKARA)
JUDGE

25.03.2022
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Whether speaking/reasoned:	Yes/No
Whether reportable:	Yes/No