

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

**204**

**CRM-M-48756-2021 (O&M)  
Date of Decision: February 09, 2022**

**Mukesh Kumar**

**.....Petitioner(s)**

**Vs.**

**State of Punjab**

**.....Respondent(s)**

**CORAM: HON'BLE MR. JUSTICE ANOOP CHITKARA**

Present: Mr. Raj Karan singh Verka, Advocate for the petitioner.

Mr. Harsimar Singh Sitta, AAG, Punjab

(Through Video Conferencing)

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**ANOOP CHITKARA J. (ORAL)**

Vide order dated 22.11.2021, this Court had granted interim anticipatory bail to the petitioner.

2. Learned counsel for the petitioner submits that the petitioner has joined the investigation.

3. This fact has not been disputed by the learned State counsel. However, learned State counsel has opposed the bail. He further submits that in case this Court is inclined to give the bail to the petitioner then it should be subject to the strict and stringent conditions.

4. Given the nature of allegations, no pre-trial incarceration is required. Without commenting on the case's merits and the circumstances peculiar to this case, the petitioners makes a case for release on bail.

5. Given above, the present petition is allowed. The order dated 22.11.2021 is hereby made absolute subject to the following condition:-

- i) that the petitioner shall surrender all weapons, firearms, ammunition, if any, along with the arms license to the concerned authority and inform the Investigator about the compliance. However, subject to the Indian

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Arms Act, 1959, the petitioner shall be entitled to renew and take it back in case of acquittal in this case.

ii.) Within ten days from today, the petitioner shall procure a smartphone 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

6. In case, the petitioner does not comply with the aforesaid conditions only on this ground alone cancellation of bail may be sought by learned State counsel as well as learned counsel for the complainant.

**(ANOOP CHITKARA)**  
**JUDGE**

**February 09, 2022**  
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| Whether speaking/reasoned: | Yes/No |
| Whether reportable:        | No     |