

201

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

Decided on: 19.04.2022

1. CRM-M No.51412 of 2021 (O&M)

Ramesh Kumar @ Sonu

....Petitioner

Versus

State of Punjab

....Respondent

2. CRM-M No.52580 of 2021 (O&M)

Gurmeet Singh and others

....Petitioners

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR JUSTICE ARVIND SINGH SANGWAN

Present : Mr. Tarun Jhatta, Advocate
for the petitioner (in CRM-M No.51412 of 2021)

Mr. Anupam Bhardwaj, Advocate
for the petitioners (in CRM-M No.52580 of 2021)

Mr. Joginder Pal Ratra, DAG, Punjab.

ARVIND SINGH SANGWAN, J. (Oral)

The petitioners pray for grant of anticipatory bail in FIR
No.200 dated 13.10.2019, registered under Sections 457, 380, 342,323
IPC (Sections 411, 148, 149, 395, 201 IPC added later) at Police Station
Chheharta, District Police Commissionerate, Amritsar.

On 09.12.2021, the following order was passed by this
Court (in CRM-M-51412-2021):-

*“Learned counsel for the petitioner inter-alia
contends that the petitioner was granted regular bail by*

the Trial Court and now is sought to be re-arrested as the final report by the State under Section 173 Cr.P.C. has been filed after adding Sections 395 and 201 IPC. He further contends that while on regular bail the petitioner never misused such concession and that no custodial interrogation of the petitioner is required at this stage, especially when investigation in the case is already over.

Notice of motion.”

Counsel for the petitioners submit that while on bail, they have not misused the concession of bail and after a lapse of about 02 years, the aforesaid Sections 395, 201 IPC were added. It is further submitted that the petitioners are ready to join the investigation, if so required by the Investigating Officer.

Counsel for the State, on instructions from the Investigating Officer, has not disputed the aforesaid fact.

In view of the above, both these petitions are allowed and the interim bail granted to the petitioners vide order dated 09.12.2021 and 16.12.2021 is made absolute subject to the conditions envisaged under Section 438(2) Cr.P.C.

However, it will be open for the Investigating Officer to give a notice in writing in case the petitioners are still required for further investigation before submitting the challan before the trial Court.

A photocopy of this order be placed on the file of other connected case.

(ARVIND SINGH SANGWAN)
JUDGE

19.04.2022

yakub

Whether speaking/reasoned
Whether reportable:

Yes/No
Yes/No