

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

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CRM-M-51755-2021 (O&M)

Date of Decision: 21.01.2022

Ranjit Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE AMOL RATTAN SINGH

Present: Mr. Raman Goklaney, Advocate for the petitioner.

Mr. Rana Harjasdeep Singh, Deputy Advocate General,
Punjab.

AMOL RATTAN SINGH, J. (ORAL)

Case heard via video conferencing.

By this petition, the petitioner seeks the concession of 'anticipatory bail' under the provisions of Section 438 Cr.P.C., upon FIR No.122, dated 17.11.2021, having been registered at Police Station Cantt., Ferozepur, District Ferozepur, alleging therein the commission of offences punishable under the provisions of Sections 323, 341, 379-B read with Section 34 of the IPC.

On 13.12.2021, the following order had been passed:-

“By this petition, filed under the provisions of Section 438 of the Cr.P.C, the petitioner seeks the concession of anticipatory bail, upon FIR no.122, dated 17.11.2021, having been registered at Police Station Cantt Ferozepur, District Ferozepur, alleging therein the commission of offences punishable under Sections 341, 323, 349B and 34 of the IPC.

Learned counsel for the petitioner submits that as a matter of fact the father of the complainant is an ASI posted at the Economic Offences Wing, Ferozepur, which is why the FIR has been registered in the first place; and even if it is taken at face value as regards the injuries allegedly sustained by the complainant, they were simple injuries and therefore no cognizable offence would be made out at all; and as regards the allegation of a gold chain being snatched, the said allegation has been made only to ensure that a cognizable offence is made out, which is also why Section 341 of the IPC has been added in the FIR.

Without making any comment on the actual merits of the case, notice of motion is issued to the respondent-State, with Mr. Manreet Singh Nagra, learned AAG, Punjab, accepting notice at the asking of the court.

Adjourned to 21.01.2022.

In the meanwhile, the petitioner is directed to join investigation within one week and upon his doing so, in case he is sought to be arrested, he would be admitted to interim bail, on his furnishing adequate bail and surety bonds to the satisfaction of the arresting officer/Illaqa Magistrate. He shall abide by the conditions stipulated in Section 438(2) of the Cr.P.C.

If the arresting officer does not join the petitioner in investigation, he would appear before the learned Illaqa Magistrate immediately, who would then summon the arresting officer and direct him to join him in investigation.

A gazetted officer is directed to file a reply to the petition before the next date of hearing.”

Today learned State counsel submits, on instructions, that the petitioner has joined investigation and presently at least his custodial interrogation is not required.

That being so, without making any comment on the actual merits of the case, the petition is allowed, with the order dated 13.12.2021 made absolute on the same terms and conditions.

Naturally, if the complainant is aggrieved in any manner, of lack of proper investigation, he would be always at liberty to avail of his remedy as per law.

(AMOL RATTAN SINGH)
JUDGE

21.01.2022
komal

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No