

**208-A IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

**CRM-M No.50370 of 2022 (O&M)
Date of decision : 14.12.2022**

Gurbaksh Singh

..... Petitioner

versus

State of Punjab

..... Respondent

CORAM : HON'BLE MR.JUSTICE PANKAJ JAIN

Present :- Mr. Guninder Singh Brar, Advocate
for the petitioner.

Mr. Sarabjit Singh Cheema, DAG, Punjab.

PANKAJ JAIN, J. (ORAL)

The petitioner has prayed for grant of pre-arrest bail in FIR No.178 dated 28.07.2022 registered under Sections 420/406/120-B IPC, at Police Station Sadar Nabha, District Patiala.

On 31.10.2022 while issuing notice of motion the following order was passed:-

“The petitioner herein seeks the relief of pre-arrest bail in the criminal case arisen out of the FIR bearing No.178 dated 28.07.2022 registered at Police Station Sadar Nabha, District Patiala, under Sections 406, 420 and 120-B IPC.

Learned counsel for the petitioner, inter-alia, contends that the petitioner has been got falsely roped in as an accused in the present case merely on the basis of the disclosure statement as alleged to have been suffered by his co-accused whereas, in fact, he was neither present at the spot at the time of the loading of the shuttering material, from the shop of the informant in the vehicle nor has any concern with the same and moreover, the petitioner is not involved in any other criminal case of the similar nature and is also ready to join in the investigation as and when so required.

Notice of motion.

Mr. Kunwarbir Singh, learned Assistant Advocate General, Punjab, who has appeared in this case in pursuance of the copy of the instant petition having been sent to the respondent-State in advance, accepts the notice. He seeks some time to get proper and complete instructions in the present matter from the quarter concerned and if deemed necessary, then to file the status-report also.

Adjourned to 14.12.2022 for being taken up along-with the connected petition bearing CRM-M No.39352 of 2022.

Meanwhile, in the event of his arrest, the petitioner shall be released on interim bail subject to his furnishing the requisite personal and surety bonds to the satisfaction of the Arresting/Investigating Officer.

However, the petitioner shall join in the investigation as and when required/called upon to do so and shall also strictly abide by all the conditions as laid down in Section 438(2) Cr.P.C. ”

Today, learned State counsel, on instructions from SI Chamkaur Singh, has stated that pursuant to the order dated 31.10.2022, the petitioner has joined investigation and is no longer required for custodial interrogation.

In view of above, the interim order dated 31.10.2022 passed by this Court is made absolute, subject to the conditions as enumerated under Section 438(2) Cr.P.C.

This petition stands disposed off.

Needless to say that anything observed herein shall not be construed to be an opinion on the merits of the case.

(PANKAJ JAIN)
JUDGE

14.12.2022
Pooja sharma-I

Whether speaking/reasoned	Yes
Whether Reportable :	No