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2023:PHHC:156615

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-6683-2021

Date of Decision: 07.12.2023

Sandeep Singh

...Petitioner

Vs.

State of Punjab

...Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Navjot Singh, Advocate for the petitioner.

Mr. Mohit Kapoor, Addl. AG, Punjab.

MANJARI NEHRU KAUL, J. (Oral)

The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.345 dated 31.12.2020 (Annexure P-1) under Sections 420, 406 and 120-B IPC registered at Police Station Sirhind, District Fatehgarh Sahib, Punjab.

2. Vide order dated 12.02.2021 the petitioner had been granted interim anticipatory bail with direction to join investigation and the relevant part of the said order reads as under:-

“Learned counsel for the petitioner submits that apart from the fact that money was never paid to the petitioner and agreement, if any, is between Ashok Kumar and the complainant, the petitioner was declined bail by learned Additional Sessions Judge, Fatehgarh Sahib, for the reason he could not join the investigation. However, the petitioner is now ready to join the investigation.”

3. Learned counsel for the petitioner submits that in compliance of order dated 12.02.2021, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In view of the above, the petition is allowed and interim order dated 12.02.2021 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
(JUDGE)

07.12.2023

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