

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-6322-2023 (O&M)
Date of decision : 03.08.2023

Gurpreet Singh ... Petitioner(s)

Versus

State of Punjab & Anr. ... Respondent(s)

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

Present : Mr. P.S. Brar (Jhakarwala), Advocate for the petitioner.

Mr. M.S. Tiwana, AAG Punjab for respondent No.1.

ALKA SARIN, J. (ORAL)

1. This is a petition under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.116 dated 07.09.2022 under Sections 363, 366-A of the Indian Penal Code, 1860 (Sections 458, 346 and 120-B IPC added later) registered at Police Station Jaitu, District Faridkot (Annexure P-1).

2. On 07.02.2023 the following order was passed :

“The present petition has been preferred seeking grant of anticipatory bail in case FIR No.116 dated 07.09.2022 under Sections 363, 366-A and later on added offences under Sections 458,346 and 120-B IPC, 1860 at Police Station Jaitu, District Faridkot (Annexure P-1).

Learned counsel for the petitioner has submitted that the entire FIR is concocted and there was no reason and

justification for naming the petitioner except for the fact that he is the friend of the main accused. He further submitted that the complainant admits that she never saw her daughter running away with the main accused so there was no occasion for naming the present petitioner. He submitted that at the best, the only role alleged against the petitioner is that he helped his friend in enticing away with the prosecutrix.

Notice of motion.

Mr. Arun Gupta, AAG, Punjab, accepts notice on behalf of the State and has submitted that the main accused-Arshpreet Singh alias Gulla Singh has already been arrested and in fact one Manpreet Singh is also arrested, who is the brother of the petitioner.

The petitioner is 21 year old boy and has no criminal background, therefore, in the light of the above, the petitioner shall join investigation on 14.02.2023 at 10:00 A.M. before the Investigating Officer and cooperate with the Investigating Agency even thereafter. In the event of arrest, the petitioner be released on interim bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer and the petitioner shall abide by the conditions as envisaged under Section 438 (2) Cr.P.C.

Adjourned to 17.04.2023. ”

3. Learned counsel for the petitioner would contend that pursuant to the said order, the petitioner has joined investigation and has fully cooperated.

4. Learned counsel for the State, on instructions from ASI Iqbal

Singh, has stated that the petitioner has since joined investigation and has fully cooperated and that he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 07.02.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

03.08.2023

Yogesh Sharma

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO