

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-9013-2023
Date of decision: 17.04.2023

RANJIT SINGH @ MATTA

....Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Vinay Kumar, Advocate
for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY. J.

Present petitions have been filed under Section 438 of the Code of Criminal Procedure for grant of anticipatory bail in FIR No. 14 dated 26.01.2023, under Sections 379 and 411 IPC registered at Police Station Sujanpur, District Pathankot.

On 21.02.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr. P.C. for grant of pre-arrest bail to the petitioner in case FIR No.14 dated 26.01.2023, registered under Sections 379, 411 IPC at Police Station Sujanpur, District Pathankot.

Learned counsel contends that the petitioner, who is a labourer, has been falsely roped in the present FIR on the basis of his name having been disclosed by one of the co-accused, who was apprehended by the Police on secret information. Recovery of the stolen article has been effected from the co-accused, who were arrested. Nothing has to be recovered from the petitioner. He is not

involved in any other case. Learned counsel submits that the petitioner is ready and willing to join investigation as and when required by the investigating agency.

Notice of motion.

At the asking of the Court, Mr. Manipal Singh Atwal, DAG Punjab accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 28.02.2023. In the event of arrest of the petitioner, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 17.04.2023.”

Learned counsel for the petitioner submits that in pursuance of the above order, the petitioner has not only joined investigation but has also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.

Learned State counsel on instructions from ASI Lekh Raj affirms the factum of joining the investigation by the petitioner and cooperating with the investigation agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 21.02.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

However, it is made clear that if the petitioner fails to join and cooperate with the investigation agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

(AMAN CHAUDHARY)
JUDGE

17.04.2023
Mehak

<i>Whether speaking/reasoned</i>	:	<i>Yes/No</i>
<i>Whether reportable</i>	:	<i>Yes/No</i>