

(210)

2023:PHHC:098936

IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH

CRM-M-10833 of 2023

Date of Decision: August 02, 2023

Rajesh Kumar

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. J.S. Thind, Advocate for the petitioner.

Mr. M.S. Nagra, AAG, Punjab.

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DEEPAK GUPTA, J.(Oral)

By way of this petition filed under Section 438 Cr.P.C., petitioner has prayed for grant of anticipatory bail in case FIR No.13 dated 29.01.2023 registered under Sections 13-A/3/67 of the Punjab Gambling Act, 1867, 7(3) Lotteries Regulation Act, 1998 read with Sections 353/186/332/120-B IPC at Police Station Division No.4, District Jalandhar.

On 02.03.2023, the following order was passed by this Court:-

*“Prayer in this petition filed under Section 438 Cr.P.C., is for grant of anticipatory bail in FIR No.13 dated 29.01.2023 under Sections 13-A/3/67 of the Punjab Gambling Act, 1867,7(3) Lotteries Regulation Act, 1998 read with Sections 353, 186, 332, 120-B of IPC, registered at Police Station Division No.4, District Jalandhar (Annexure P-1).*

*Learned counsel for the petitioner contends that the case of the prosecution was based on the statement of one*

*constable Gurjit Lal on the basis of a secret information. It has been further averred by the learned counsel for the petitioner that the shop does not belong to the accused, which was raided by the police wherein the police officials indulged in forceful scuffle with the petitioner and other persons present in the shop and in that scuffle sustain the injuries on their leg, knee and arm. They were taken to the Civil Hospital, Jalandhar for treatment. Later on to cover up their such deed, the instant FIR got falsely registered against the present petitioner.*

*Notice of motion.*

*On the asking of Court, Mr. Rajiv Verma, DAG, Punjab accepts notice on behalf of respondent- State and seeks time to get instructions in the matter.*

*In the meantime, petitioner shall be released on interim bail subject to the satisfaction of Arresting Officer/ Investigating Officer on his joining the investigation as and when called for and cooperate in investigation and also shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.*

*Adjourned to 06.07.2023.”*

Learned State Counsel, on instructions from ASI Gurjit Singh, submits that in compliance of the afore-said order, petitioner has joined the investigation and is no longer required for further investigation.

In view of the afore-said statement, afore-said order dated 02.03.2023 granting interim anticipatory bail to the petitioner in the FIR in question, is hereby made absolute. However, the petitioner shall continue to join the investigation as and when required by the Investigating Officer and make compliance of the conditions envisaged

under Section 438(2) Cr.P.C.

Disposed of.

August 02, 2023

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(DEEPAK GUPTA)

JUDGE

Whether reasoned/speaking:

Whether reportable:

Yes/No

Yes/No