

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.203

CRM-M-12123-2023

Date of decision : 08.05.2023

Sonu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr.Paritosh Vaid, Advocate, for
Mr.G.S.Gill, Advocate, for the petitioner.

Mr.A.P.S.Tung, DAG, Punjab.

* * * * *

DEEPAK SIBAL, J. (Oral)

(1) Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.0016 dated 12.01.2023 registered under Sections 188 and 336 IPC, Sections 39 and 51 of Wildlife (Protection) Act, 1972 and Section 15 of Environment (Protection) Act, 1986 at Police Station Haibowal, District Police Commissionerate, Ludhiana.

(2) On 13.03.2023 this Court had passed the following order: -

“Learned counsel for the petitioner inter alia contends that the petitioner has been falsely implicated in this case; the petitioner does not have any other criminal antecedents; the address from which the alleged recovery of China plastic string has been made is not the petitioner's address; in any case, no further recovery is required to be made from the petitioner and that the petitioner is also ready and willing to join and cooperate with the investigation.

Notice of motion.

Mr.Arun Luthra, DAG, Punjab, accepts notice on behalf of the respondent and prays for time to argue the matter.

Adjourned to 08.05.2023.

In the meanwhile, subject to the petitioner's joining investigation as and when called by the investigating agency as also abiding by the other conditions provided under Section 438 (2) Cr.P.C, in the event of his arrest in FIR No.0016 dated 12.01.2023 registered under Sections 188, 336 IPC, Sections 39 and 51 of the Wildlife (Protection) Act, 1972 and Section 15 of the Environment (Protection) Act, 1986 at Police Station Haibowal, District Police Commissionerate, Ludhiana, he shall be released on ad interim anticipatory bail to the satisfaction of the Arresting Officer. Before the adjourned date, the State shall file a status report after consideration of which further orders in the present petition shall be passed.”

(3) Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that the State no longer requires the petitioner for investigation purposes.

(4) In the light of the submissions made on behalf of the petitioner as have been recorded in the afore quoted order as also the statement made on behalf of the State, subject to the petitioner’s abiding by the conditions prescribed under Section 438(2) Cr.P.C the order of this Court dated 13.03.2023, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

08.05.2023
shamsher

[DEEPAK SIBAL]
JUDGE

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