

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.13460 of 2023
Date of decision: 14th July, 2023

Gourav Kumar @ Gora

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. N.S. Dandiwal, Advocate for the petitioner.

Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.325 dated 03.09.2022 under Sections 379-B(2), 34 IPC registered at Police Station Division No.7, Ludhiana.

2. Vide order dated 17.03.2023, the petitioner had been granted concession of interim bail in the following terms:-

“Learned counsel inter alia submits that the petitioner has clean antecedents and except the present case, no other criminal case stands registered against him which lends credence to his false implication in the FIR in question. While drawing the attention of this Court to the allegations levelled in the FIR, he submits that a mobile phone of one Sanjay was snatched by him and the two co-accused, which already stood recovered from the co-

accused and hence his custodial interrogation would not be required.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 17.03.2023, the petitioner has joined investigation and cooperated with the investigating agency.

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

5. In the circumstances, the petition is allowed and the interim order dated 17.03.2023 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

July 14, 2023
rps

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