

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

208-A

CRM-M-15429-2023

Date of decision: 29.08.2023

Lovejeet Singh

..Petitioner

Versus

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present: Ms. Manpreet Kaur, Advocate for
Mr. Amardeep Singh, Advocate for the petitioner.

Ms. Himani Arora, AAG, Punjab.

AMAN CHAUDHARY, J.

1. On 28.04.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in case F.I.R. No.0011 dated 24.01.2023, under Sections 385 & 387, 120-B, 109 of IPC and under Section 25 of Arms Act, 1959 registered at Police Station City Tarn Taran, District Tarn Taran (Annexure P-1).

Learned counsel for the petitioner inter alia submits that the petitioner was not named in the FIR and has been nominated as an accused on the supplementary statement of the complainant and apart from the said statement there is no linking evidence to connect the petitioner with the alleged offence. He further submits that the main allegations in the FIR are against co-accused Landa Harike, who is stated to have demanded money from the complainant - Vijay Kumar Sharma. He has referred to para no.4 of the status report filed by the respondent-State, wherein it has been averred as under :-

“ 4. That during the course of investigation, the complainant namely Vijay Kumar Sharma got recorded his supplementary statement before the investigating officer to the effect that on

24.01.2023 at about 05:32 PM, he again received a whatsapp call from No: 4915213900013 on his mobile No.75026-07777 that he is Lakhbir Singh Landa and he had called to him on 21.01.2023 and Nishan Singh alias Gurbinder Singh son of Satpal Singh, resident of Gali Jodhpur Wali, Sachkhand Road had talked to him in connivance with the other co accused namely Surjit Singh son of Bhupinder Singh, resident of Gali Bagi Wali, Sachkhand Road, Tarn Taran, Lovejeet Singh son of Tarsem Singh i.e. the petitioner Sarwan Singh son of Balwinder Singh, resident of Chander Colony, Near Saran Shri Darbar Sahib, Tarn Taran and have demanded an extortion amount from him by threatening him and his family members, on the basis of which, the petitioner as well as aforesaid accused have been nominated in the present case and the offences under section 120-B/506/109 of IPC have been enhanced in the present case vide DDR No.42 dated 25.01.2023. ”

He further submits that the petitioner is not involved in any other case and is ready to join the investigation.

Per contra, learned State counsel has opposed the prayer for grant of anticipatory bail to the petitioner keeping in view the role attributed to the petitioner.

Adjourned to 29/08/2023.

1) That the petitioner shall make himself available for interrogation by a police officer as and when required to do.

2) That the petitioner shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

3) That the petitioner shall not leave India without prior permission of the court.”

2. Learned counsel submits that in pursuance of the aforementioned order, the petitioner has not only joined investigation but 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.

3. Learned State counsel affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.

4. 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 28.04.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr. P.C

5. However, it is made clear that if the petitioner fails to join and cooperate with the investigating 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.

29.08.2023
Ankur

(AMAN CHAUDHARY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No