

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.16489 of 2022
Date of decision: 27th March, 2023

Harpreet Singh

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Harsh Manocha, Advocate for the petitioner.
Mr. Ramdeep Pratap Singh, Sr. DAG, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

The instant petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in case bearing FIR No.28 dated 01.02.2021 under Sections 341, 323, 506, 148, 149, 307 IPC registered at Police Station Civil Lines Patiala.

Vide order dated 22.04.2022, the petitioner had been granted concession of interim bail in the following terms:-

“The learned counsel for the petitioner has submitted that in the present case earlier investigation was conducted by the police and the petitioner had already furnished bail bonds and it was after a period of one year that the offence was enhanced to Section 307 IPC but no permission was taken by the police for the purpose of arresting the petitioner nor any application was filed and, therefore, now the police is seeking to arrest the petitioner. He submitted

*that the action of the police is totally against the law laid down by the Hon'ble Supreme Court in **Pradeep Ram Vs. State of Jharkhand and anr. 2019 (3) RCR(CrL) 538.***

Learned counsel for the petitioner submits that in compliance of the order dated 22.04.2022, the petitioner has joined investigation and cooperated with the investigating agency.

Learned State counsel, on instructions, 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.

In the circumstances, the petition is allowed and the interim order dated 22.04.2022 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

March 27, 2023

rps

Whether speaking/reasoned

Yes/No

Whether reportable

Yes/No