

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

CRM-M-17441-2022

Date of decision :15.03.2023

SURINDER SAMPLA

... Petitioner(s)

Versus**STATE OF PUNJAB**

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE JASJIT SINGH BEDI

Present: Ms. Rishma Verma, Advocate
for the petitioner(s).

Mr. Kirat Singh Sidhu, D.A.G, Punjab.

JASJIT SINGH BEDI, J. (ORAL)

The prayer in the present petition under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.121 dated 24.05.2017 registered under Sections 323, 341, 201, 379-B IPC, 1860 (Section 66 of Information Technology Act, 2000 added later on) at Police Station Sadar, District Jalandhar.

On 24.04.2022, the following order was passed:-

“Prayer in this petition is for grant of anticipatory bail in FIR No.121 dated 24.05.2017 under Sections 323, 341, 201, 379-B IPC and Section 66 of I.T. Act (added later on), registered at Police Station Sadar (now Police Station Jalandhar Cantt.), District Jalandhar.

Learned counsel for the petitioner submits that as per report of the SIT, allegation against the petitioner is regarding of commission of offence under Section 201 IPC, as he has handed over a mobile phone to the police, which belongs to the complainant and later on, it was found that data in the mobile phone was deleted. It is further submitted that the petitioner has nothing to do with the commission of offence, in

which the complainant is levelling allegations that co-accused Amit Sampla @ Ashu has developed physical relations on the pretext of marriage, however, later on, he resiled.

Notice of motion for 25.08.2022.

Notice of motion for 25.08.2022. In the meantime, the petitioner is directed to appear before the Investigating Officer within a period of 10 days to join investigation and he shall be released on interim bail on furnishing bail/surety bonds subject to the following conditions:-

- 1. He shall make himself available for interrogation by a police officer as and when required;*
- 2. He 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; and*
- 3. He shall not leave India without previous permission of the Court.”*

Thereafter, on 29.04.2022, the following order was passed:-

“Prayer in this application is for correction in the order dated 27.04.2022.

Counsel for the applicant has argued that instead of directing the applicant/petitioner to appear before the trial Court, the petitioner was directed to appear before the Investigating Officer for furnishing bail/surety bonds.

Notice of the application.

Mr. Joginder Pal Ratra, DAG, Punjab who is present in the Court accepts notice on behalf of the respondent – State while Mr. Manjit Malhotra, Advocate, has appeared on behalf of the non-applicant/complainant and have not raised any objection.

Heard.

For the reasons stated in the application, the order dated 27.04.2022 is modified to the extent that the applicant/petitioner will appear before the trial Court within a period of 10 days from today and the trial Court will release him on interim bail subject to furnishing bail/surety bonds.

Disposed of.”

In pursuance to the aforementioned orders, the petitioner has surrendered and has been admitted to interim bail and is now regularly appearing before the concerned Court and facing Trial. The case is also committed to the Court of Sessions.

In view of aforesaid factual position, the interim order dated 27.04.2022 is made absolute. However, the petitioner shall keep on joining the investigation as and when required to do so and he shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

Petition stands disposed of.

(JASJIT SINGH BEDI)
JUDGE

15.03.2023
JITESH

Whether speaking/reasoned:- Yes/No

Whether reportable:- Yes/No