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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-17417-2023 (O&M)

Date of Decision: 06.10.2023

Gurpreet Singh

.. Petitioner

Vs.

State of Punjab

..Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. Pradeep Kumar Kapila, Advocate for the petitioner.

Mr. C.L. Pawar, Addl. A.G., Punjab.

...

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal

Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No.158 dated 09.09.2021, under Sections 379-B and 34 of the Indian Penal Code, 1860, registered at Police Station City-2 Mansa, District Mansa.

2. Above FIR was registered on the basis of statement made by complainant Jashanpreet Kaur with the allegations that two persons came on motorcycle bearing No.PB-31W-2410 and snatched her Samsung mobile Galaxy J-5.

3. The Co-ordinate Bench, vide order dated 20.04.2023, granted interim bail to petitioner and the same reads as under:-

“...Learned counsel for petitioner inter alia submits that the petitioner has been implicated on the basis of disclosure made by one of the co-accused namely Gagandeep Singh from whom the entire recovery already stands effected.

Notice of motion for 19.08.2023.

In the meanwhile, petitioner will join investigation before the Investigating Officer as and when called. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on his furnishing adequate bail and surety bonds to his satisfaction. The petitioner is also directed to abide by all the conditions as

- envisaged under Section 438(2) of Code of Criminal Procedure, 1973.”*
4. Learned Counsel submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.
5. Learned State Counsel, on instructions submits that petitioner has joined investigation and as on today, his custodial interrogation is not required.
6. In view of above, interim order dated 20.04.2023 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
7. It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
8. The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
9. Disposed off accordingly.
10. Pending applications, if any, also stand disposed off.

06.10.2023
Jasmine Kaur

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes	No
Whether reportable	Yes	No