

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

211

CRM-M-17886-2023
Date of decision: 11.05.2023

Sahil Masih

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. G. S. Bawa, Advocate
for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab.

AMAN CHAUDHARY. J.

1. On 13.04.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr. P.C. for grant of pre-arrest bail to the petitioner in case FIR No. 14 dated 02.03.2023, registered under Sections 392, 511, 401, 379 and 411 of the Indian Penal Code, 1860 at Police Station Jhander, District Amritsar (Rural).

Learned counsel submits that the petitioner is 18 years old and his name has surfaced based on the disclosure statement of the co-accused who were allegedly preparing for committing the offence of snatching from the passers-by. No overt act has been attributed to the petitioner. He is not involved in any other case. He further submits that the petitioner is ready and willing to join the investigation as and when required by the investigating agency.

Notice of motion for 11.05.2023.

At the asking of the Court, Mr. Manipal Singh Atwal, DAG, Punjab accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 20.04.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.”

2. Learned counsel submits that in pursuance of the above 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 on instructions from SI Satnam Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigation 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 12.04.2023 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 investigation 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.

(AMAN CHAUDHARY)
JUDGE

11.05.2023

<i>Mehak</i>	Whether speaking/reasoned	:	Yes/No
	Whether reportable	:	Yes/No