

CRM-M-19304 of 2023

[1]

2023:PHHC:083096

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

206

CRM-M-19304 of 2023

Date of decision:03.07.2023

Gursahib Singh

... Petitioner

Vs.

State of Punjab

... Respondent

CORAM: HON'BLE MR. JUSTICE SUVIR SEHGAL

Present:- Mr. Amit Arora, Advocate
for the petitioner.

Mr. Arun Gupta, AAG, Punjab.

SUVIR SEHGAL, J. (Oral)

1. On 20.04.2023, this Court passed the following order:-

“Present petition has been filed under Section 438 of Cr.P.C., praying for grant of anticipatory bail to the petitioner in case bearing FIR No. 52 dated 19.03.2017 registered under Sections 379-B of the Indian Penal Code at Police Station City Tarn Taran, District Tarn Taran.

Learned counsel for the petitioner contends that initially the petitioner was not named in the FIR, but he has been subsequently nominated on the basis of supplementary statement of the complainant. Learned counsel further contends that as per FIR, on 19.03.2017 when complainant's sister-in-law along with her daughter were

coming from Railway Station on Rikshaw to his house, then two persons from the Jandiala side came on the motorcycle at high speed and snatched away her purse. Learned counsel submits that initially the FIR was registered against two unknown persons but later on, in the supplementary statement, complainant nominated the petitioner as accused in the present case. Learned counsel further submits that petitioner is the Sarpanch of the village and belongs to the non-ruling party in the State and due to party faction in the village, has been falsely implicated in the present case. Learned counsel further submits that petitioner is ready to join the investigation.

Notice of motion.

Mr. P.S. Grewal, DAG Punjab, who is present in the Court, accepts notice on the asking of the Court and seeks time to file reply/status report.

Adjourned to 03.07.2023.

Meanwhile, in the event of arrest, the petitioner is ordered to be released on interim bail on his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do

so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

2. Counsel for the petitioner submits that although the petitioner is alleged to have committed offence of snatching but the allegations are false and the petitioner enjoys clean antecedents.
3. State counsel has filed status report by way of an affidavit of Deputy Superintendent of Police, Sub-Division Tarn Taran, District Tarn Taran. By referring to it, he submits that petitioner has joined the investigation, cooperated with the investigating agency, recovery has been effected from him and he is no longer required for custodial interrogation.
4. In view of the above facts, but without commenting on the merits of the case, present petition is allowed. Order dated 20.04.2023 is made absolute, subject to the fulfillment of conditions laid down in Section 438(2) Cr.P.C.

July 03, 2023

savita

(SUVIR SEHGAL)
JUDGE

Whether Speaking/Reasoned	Yes/No
Whether Reportable	Yes/No