

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

210

CRM-M-20637-2023

Date of decision: 10.08.2023

Babbu @ Sunny

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Rishu Mahajan, Advocate
for the petitioner.

Mr. Subhash Godara, Addl. A.G., Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.44 dated 18.03.2022 under Sections 336/506/34 of the IPC and Sections 25/27 of the Arms Act, 1959 registered at Police Station City Taran Taran, District Taran Taran.

2. Status report by way of affidavit of Tarsem Masih, PPS, Deputy Superintendent of Police, Sub Division, Tarn Taran, District Tarn Taran has been filed in the Court today which is taken on record subject to all just exceptions. A copy of the same has been handed over to the counsel opposite.

3. On the last date of hearing i.e. 26.04.2023, while noticing the following submissions made by the learned counsel for the petitioner, a Coordinate Bench of this Court, had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Counsel for the petitioner inter alia submits that no such incident as alleged in the FIR ever took place and that even otherwise, this is a no injury case. He further submits that the petitioner is ready to join the investigation with the police.”

4. Learned counsel for the petitioner submits that in compliance of order dated 26.04.2023, the petitioner has joined investigation and cooperated with the investigating agency.

5. Learned State counsel, on instructions from ASI Nishan Singh, 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.

6. In view of the above, the petition is allowed and interim order dated 26.04.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to add, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the same.

10.08.2023

(MANJARI NEHRU KAUL)

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JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No