

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Sr. No. 256(2)

CRM-M-26268-2022

Date of decision : 12.01.2023

Monu Sharma

..... Petitioner

VERSUS

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr.V.K.Sharma, Advocate, for the petitioner.

Mr.A.P.S.Tung, DAG, Punjab.

DEEPAK SIBAL, J. (ORAL)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.40 dated 14.05.2022 registered under Sections 323, 341, 506, 148, 149 IPC (Section 25 of the Arms Act, 1959 added later on) at Police Station Division No.1, District Ludhiana.

On 13.06.2022 this Court had passed the following order: -

“Counsel for the petitioner, inter alia, contends that there is delay of 14 days in lodging the FIR and similarly situated co-accused, namely, Vijay Kumar @ Vijay Ghai has already been granted the benefit of interim bail by this Court vide order dated 02.06.2022 (Annexure P-2) passed in CRM-M No.25556 of 2022.

Notice of motion.

Mr. A.A. Pathak, Additional Advocate General, Punjab, accepts notice on behalf of the respondent-State and prays for time to have instructions.

On his request, adjourned to 12.09.2022.

To be heard along with CRM-M No.25556 of 2022.

In the meantime, it is directed that the petitioner shall join investigation and in the event of his arrest, he shall be released on ad interim bail by the Investigating Officer. The petitioner shall join investigation as and when required and shall comply with the conditions laid down under Section 438(2) Cr.P.C.”

Learned State counsel submits that in pursuance to the afore quoted order of this Court the petitioner has not only joined the investigation but has also cooperated with the same as also that the State does not require the petitioner's custodial interrogation.

Through the order of even date passed in CRM-M-25556-2022 this Court has granted anticipatory bail to the similarly placed co-accused namely Vijay Kumar @ Vijay Ghai, Rinku and Sunny @ Kalu Hans.

In the light of the submissions made on behalf of the petitioner as have been recorded in the afore quoted order and because similarly placed co-accused namely Vijay Kumar @ Vijay Ghai, Rinku and Sunny @ Kalu Hans have been granted anticipatory bail by this Court, the order of this Court dated 13.06.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

12.01.2023
shamsher

[DEEPAK SIBAL]
JUDGE

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