

2023:PHHC:053259

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

Sr. No.204

CRM-M-31525-2022

Date of decision : 17.04.2023

Satnam Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE DEEPAK SIBAL

Present : Mr.J.S.Dhaliwal, Advocate, for the petitioner.

Mr.AP.S.Tung, AAG, Punjab.

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DEEPAK SIBAL, J. (Oral)

Through the present petition filed under Section 438 Cr.P.C. the petitioner seeks anticipatory bail in FIR No.29 dated 20.03.2021 registered under Sections 379-B, 323 and 34 IPC (Sections 394, 411 and 325 IPC added later on) at Police Station Arni Wala, District Fazilka.

On 22.07.2022 this Court had passed the following order: -

“The learned counsel for the petitioner has submitted that in the present case the petitioner has been implicated purely on the basis of extra judicial confession made to Baljit Singh and it was only on the basis of this position that the name of the petitioner has been nominated. He submitted that infact the present story was totally concocted by the police in view of the fact that the wife of the petitioner was having extra marital affairs with other person of village Jand Wala Bhimeshah and the other person is a very rich landlord and influential person and it was only because of this reason that he has been falsely implicated. He further submitted that even during the medical of the complainant no chilli was found and, therefore, on the face of it it was a concocted story. He submitted that on the alleged date of incident he was in Rajasthan and for that the mobile tower locations can be determined which has not been done by the police.

Notice of motion.

Mr. Davinder Bir Singh, DAG, Punjab accepts notice on behalf of the State of Punjab and prays for some time to seek instructions.

Adjourned to 30.1.2023.

Meanwhile, the petitioner is directed to join the investigation and on his doing so, the petitioner be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall continue to 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.”

Learned State counsel submits that in pursuance to the afore quoted order the petitioner has joined and cooperated with the investigation and that the State no longer requires the petitioner for investigation purposes.

In the light of the submissions made on behalf of the petitioner as have been recorded in the afore quoted order as also the statement made on behalf of the State, subject to the petitioner's abiding by the conditions prescribed under Section 438(2) Cr.P.C the order of this Court dated 22.07.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

17.04.2023
shamsher

[DEEPAK SIBAL]
JUDGE

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