

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

211

CRM-M-38497-2023

Date of Decision:14.09.2023

Bobby

.....Petitioner

Vs.

State of Punjab

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Swati Verma, Advocate
for the petitioner.

Mr. Randeep Singh Khaira, DAG, Punjab
assisted by ASI Devender Singh.

DEEPAK GUPTA, J.(ORAL)

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.19 dated 21.01.2023 registered under Sections 452, 326, 427, 506, 148, 149 of the IPC registered at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur.

On 07.08.2023, following order was passed:

“The petitioner is seeking anticipatory bail in FIR No.19 dated 21.01.2023, registered under Sections 452, 326, 427, 506, 148, 149 IPC at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur.

Learned counsel for the petitioner submits that it is alleged that the petitioner was armed with a datar and had entered the house of the complainant at night but no injury is attributed to him. There is only one injury on the person of the injured which is attributed to co-accused-Kamaljit Singh @ Rahul, who is in custody. The petitioner is not involved in any other criminal case.

Issue notice to the respondent.

At the asking of the Court, Mr. Luvinder Sofat, DAG, Punjab,

accepts notice on behalf of the respondent and prays for time to seek

instructions and file reply.

May do so by the adjourned date with an advance copy to learned counsel for the petitioner.

List on 14.09.2023.

In the meantime, the petitioner is directed to appear before the Investigating/Arresting Officer and join investigation. In the event of his arrest, the Investigating/Arresting Officer shall release the petitioner on ad interim bail subject to his satisfaction. The petitioner shall also abide by the conditions. as envisaged under Section 438 (2) Cr.PC.”

On instructions from ASI Devender Singh, it is conceded by learned State counsel that petitioner has since joined the investigation. In view of the same and having regard to the factual position noticed earlier on 07.08.2023, the petition is allowed and the order dated 07.08.2023 granting interim anticipatory bail to the petitioner, is made absolute.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

September 14, 2023

Neetika Tuteja

**(DEEPAK GUPTA)
JUDGE**

Whether Speaking/reasoned	Yes/No
Whether Reportable	Yes/No