

**214 IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

CRM-M-38536-2023
Date of decision: 06.11.2023

Pankaj Sharma

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

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

Mr. Mohit Kapoor, 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.0081 dated 26.05.2023 under Sections 323, 324, 341, 506, 427, 148, 149 of the Indian Penal Code, 1860 and lateron added under Section 326 IPC, registered at Police Station Division No. 2, District Ludhiana.

2. On the last date of hearing on 21.08.2023, while noticing the following submissions made by the learned counsel for the petitioner, this Court, had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“On being put to notice, learned State counsel on instructions has not disputed that the petitioner was not named in the FIR in question nor was any role attributed to him therein. However, he submits that the petitioner was nominated as an accused in the supplementary statement which was made on 10.06.2023, wherein he was shown to be present with the co-accused. ”

3. Learned counsel for the petitioner submits that in compliance of order dated 21.08.2023, the petitioner has joined investigation and cooperated with the investigating agency.
4. Learned State counsel, on instructions from ASI Rajinder 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.
5. In view of the above, the petition is allowed and interim order dated 21.08.2023, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

06.11.2023

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(MANJARI NEHRU KAUL)
JUDGE

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