

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207-1

CRM-M-41092-2023

Date of decision: 09.10.2023

Gourav Manan

....Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE AMAN CHAUDHARY

Present : Mr. Naveen Bawa, Advocate
for the petitioner.

Mr. Manipal Singh Atwal, DAG, Punjab

AMAN CHAUDHARY. J.

1. On 22.08.2023, this Court had passed the following order:-

“The present petition has been filed under Section 438 Cr. P.C. for grant of pre-arrest bail to the petitioner in case FIR No.43 dated 08.07.2023, registered under Sections 420, 120-B IPC (Section 408 IPC added later on), at Police Station Mehta, District Amritsar Rural.

Learned counsel contends that the petitioner has been involved in the case only on account of the fact that he provides the trucks, which belong to different owners, for the purpose of transportation of rice husk from the shellers to the mills. The petitioner was not the owner of the trucks and has no role to play, in case of material supplied being of less weight. The co-accused Vijay Kumar and Ranjit Singh have been granted interim bail by this Court, who were also falsely implicated in the case, being the owners of the truck. The

petitioner is not involved in any other case. He is ready and willing to join the investigation as and when required by the investigating agency and will also cooperate.

Notice of motion.

At the asking of the Court, Mr. Manipal Singh Atwal, DAG Punjab, accepts notice on behalf of respondent-State.

Meanwhile, the petitioner is directed to join the investigation on or before 29.08.2023. In the event of his arrest, he shall be released on interim bail to the satisfaction of the Arresting Officer, subject to compliance of conditions as enshrined under Section 438(2) Cr.P.C.

However, it is clarified that if the petitioner does not join and cooperate with the Investigating Agency as required by the Arresting/Investigating Officer, this interim order shall be deemed to have been vacated.

Adjourned to 09.10.2023.”

2. Learned counsel submits that in pursuance of the above order, the petitioner has not only joined investigation, but also fully cooperated with the investigating agency. He further submits that in case the investigating agency requires the petitioner to appear, he shall make himself available without demur.
3. Learned State counsel on instructions from HC Harpal Singh affirms the factum of joining the investigation by the petitioner and cooperating with the investigating agency. He also submits that at this stage, the petitioner is not required for further custodial interrogation.
4. In view of the above and without expressing any opinion on the merits of the case, anticipatory bail petition filed by the petitioner is allowed and the order dated 22.08.2023 granting interim bail to him, is hereby made absolute, subject to compliance of conditions as specified under Section 438(2) Cr.P.C.
5. However, it is made clear that if the petitioner fails to join and

cooperate with the investigating agency as and when required, the State would be at liberty to move an application for cancellation of the present anticipatory bail granted to him.

09.10.2023
Mehak

(AMAN CHAUDHARY)
JUDGE

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