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IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-42133-2023
Date of decision: 25.08.2023

SANDEEP SINGH

...Petitioner

VERSUS

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE JASGURPREET SINGH PURI

Present:- Mr. Rajiv Kumar Sarwate, Advocate
for the petitioner.

JASGURPREET SINGH PURI, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure for the grant of anticipatory bail to the petitioner in FIR No.223 dated 26.09.2020, under Sections 302, 148 and 149 of the IPC, registered at Police Station Mehtapur, District Jalandhar Rural, Punjab.
2. Learned counsel for the petitioner has submitted that the petitioner has been falsely implicated in the present case and in fact the petitioner had no role to play and the complainant has also given an affidavit in this regard as Annexure P-3.
3. Notice of motion.
4. Mr. Ramdeep Partap Singh, Senior DAG, Punjab, accepts notice on behalf of the respondent-State.

5. At this stage, learned State counsel, on specific instructions from ASI Dwarka Dass, has submitted that the custodial interrogation of the petitioner is not required at all and rather a cancellation report has also been prepared qua the present petitioner and in case the petitioner is required to join the investigation then a notice in writing will be served upon him.

6. In view of the aforesaid position, the present petition is allowed.

7. It is directed that in case the petitioner is required to join the investigation and a notice in writing is issued to him in this regard, then he shall join the investigation and cooperate fully with the investigation process and he will keep on doing so in case he is so required and in case he is to be arrested, then he shall be released on interim bail, subject to the conditions envisaged under Section 438(2) Cr.P.C.

25.08.2023
Chetan Thakur

(JASGURPREET SINGH PURI)
JUDGE

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