

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

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CRM-M-46646-2022
Date of decision: 20.04.2023

HARJEET KUMAR @ HONEY

...Petitioner(s)

VERSUS

STATE OF PUNJAB

...Respondent(s)

CORAM : HON'BLE MR. JUSTICE GURBIR SINGH

Present: Mr. Rimple Saini, Advocate
for the petitioner.

Ms. Himani Arora, AAG Punjab.

GURBIR SINGH, J. (ORAL)

The prayer in the present petition filed under Section 438 Cr.P.C is for grant of anticipatory bail to the petitioner in case FIR No.277 dated 23.09.2022 under Section 379, 511 of IPC and Sections 25, 27, 54, 59 of Arms Act, 1959 registered at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur.

On 20.01.2023, the following order was passed:-

“The prayer in the present petition filed under Section 438 Cr.P.C. is for grant of anticipatory bail to the petitioner in case bearing FIR No.277, dated 23.09.2022, under Sections 379, 511 IPC and Sections 25, 27, 54, 59 of Arms Act, registered at Police Station Civil Lines Batala, Police District Batala, District Gurdaspur.

As per the version of the prosecution, the allegations levelled against the petitioner are that he was part of the 05 unknown persons, who had tried to commit theft in the house of the complainant, but they were not

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successful. Petitioner is shown in the CCTV footage of the camera, which is installed at the house of the complainant.

Learned counsel for the petitioner submits that the petitioner is not involved in any other case.

Adjourned to 20.04.2023.

Meanwhile, in the eventuality of arrest of the petitioner in the instant case, he shall be enlarged on interim bail subject to his furnishing personal bond/surety bond to the satisfaction of Investigating Officer/Arresting Officer. The petitioner shall join the investigation as and when called upon to do so by the Investigating Agency. The petitioner shall abide by the conditions as laid down under Section 438 (2) Cr.P.C. in letter and spirit.”

Learned State counsel, on instructions from ASI Samul Masih, 1987, Batala submits that in compliance of the order dated 20.01.2023 the petitioner has already joined the investigation and he is not required for any custodial interrogation.

In view of above, the order dated 20.01.2023 granting interim bail to the petitioner, is made absolute. The petitioner shall abide by the conditions as laid down under Section 438(2) Cr.P.C. in letter and spirit.

Petition is disposed of accordingly.

(GURBIR SINGH)
JUDGE

20.04.2023
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Whether reasoned/speaking?	Yes/No
Whether reportable?	Yes/No