

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

Sr. No.231

CRM-M-54709-2022

Date of decision: 03.03.2023

Raj Kumar @ Raju Ram

....Petitioner

Versus

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE DEEPAK SIBAL

Present: Mr. J.K. Singla, Advocate
for the petitioner.

Mr. A.P.S. Tung, DAG, Punjab.

* * *

DEEPAK SIBAL, J. (Oral)

The present petition has been filed under Section 438 Cr.P.C. for the grant of anticipatory bail in FIR No.269 dated 28.10.2022 registered under Sections 307, 332, 353, 186, 148 and 149 IPC at Police Station Sadar Mansa, District Mansa.

On 24.11.2022, this Court had passed the following order:-

“The petitioner has filed this petition seeking grant of anticipatory bail in case FIR No.269 dated 28.10.2022 under Sections 307, 332, 353, 186, 148, 149 of the IPC registered at Police Station Sadar Mansa, District Mansa.

Learned counsel for the petitioner, *inter alia*, submits that the petitioner has been falsely implicated in the present case. Petitioner is neither driver nor owner of the alleged vehicle. No specific allegations have been levelled against the petitioner. No injury has been attributed to the petitioner. General allegations have been levelled in the FIR. It is debatable whether offence under Section 307 of the IPC is made out against the petitioner or not. Moreover, three co-accused have already been granted anticipatory bail vide order dated 4.11.2022 passed by the learned Sessions Judge, Mansa. Nothing is to be recovered from the petitioner and as such his custodial interrogation is

not required. The petitioner is already ready and willing to join the investigation.

Notice of motion.

On the asking of this Court, Mr. J.P.Ratra, Sr.DAG, Punjab accepts notice on behalf of the respondent-State. He seeks time to have instructions.

Adjourned to 3.3.2023.

In the meanwhile, the petitioner will join investigation and appear before the Investigating Officer within 10 days from today at the aforesaid Police Station. On doing so, the petitioner shall be released on interim anticipatory bail subject to furnishing personal/surety bonds to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall continue to join investigation as and when called for and shall abide by the conditions as provided under Section 438(2) of the Cr.P.C.”

Learned State counsel submits that under the afore-quoted order passed by this Court, the petitioner has joined and co-operated with the investigation and that his custodial interrogation is not required by the State.

After considering the submissions made on behalf of the petitioners as have been recorded in the afore-quoted order and the statement made on behalf of the State, subject to the petitioner's abiding by the conditions provided under Section 438(2) Cr.P.C., the order of this Court dated 24.11.2022, granting ad interim anticipatory bail to the petitioner is ordered to be made absolute.

March 03, 2023
Jyoti 1

(DEEPAK SIBAL)
JUDGE

Whether speaking/reasoned
Whether reportable

Yes/No
Yes/No