

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

CRM-M No.55287 of 2022
Date of decision: 4th July, 2023

Rakesh @ Babbu

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Armaan Gagneja, Advocate for the petitioner.
Mr. Amit Rana, Sr. Deputy Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.279 dated 11.10.2022 under Sections 379-B, 323, 506, 341, 34 IPC (Section 325 IPC added later on) registered at Police Station City-I, Abohar, District Fazilka.

Vide order dated 30.11.2022, the petitioner had been granted concession of interim bail in the following terms:-

“Learned counsel for the petitioner submits that he has falsely been implicated in the present case on account of complainant’s enmity with co-accused Mangtia and Bhayia. Learned counsel has submitted that the petitioner, in order to prove his bonafides, is ready to deposit an amount of Rs.40,000/- in the trial Court.”

Learned counsel for the petitioner submits that in compliance of the order dated 30.11.2022, the petitioner has joined investigation and cooperated with the investigating agency. He further submits that the petitioner has also complied with the directions of this Court, whereby he had undertaken to deposit ₹ 40,000/- before the trial Court.

Learned State counsel, on instructions, 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.

In the circumstances, the petition is allowed and the interim order dated 30.11.2022 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

July 4, 2023
rps

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