

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

(206)

CRM-M-59133-2022

Date of decision: - 11.01.2023

Gurmeet Singh

....Petitioner

Versus

State of Punjab

.....Respondent

CORAM : HON'BLE MR. JUSTICE VIKAS BAHL

Present:- Mr. Ramandeep Singh, Advocate, for the petitioner.

Mr. Ferry Sofat, Additional Advocate General, Punjab.

VIKAS BAHL, J. (ORAL)

This is the second petition filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.198 dated 13.11.2022 registered under Sections 420, 120-B of Indian Penal Code, 1860 at Police Station City Samana, District Patiala, Punjab.

On 19.12.2022, this Court was pleased to pass the following order:-

“This is the second petition filed under Section 438 of Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.198 dated 13.11.2022 registered under Sections 420, 120-B of Indian Penal Code, 1860 at Police Station City Samana, District Patiala, Punjab.

Learned counsel for the petitioner has submitted that the first bail application filed by the petitioner was dismissed as withdrawn on 14.12.2022 with liberty to file a fresh petition after giving correct and better particulars. It is further submitted that even as per the case of the prosecution, the petitioner was not present at the spot and recovery, in the present case, has already been effected and the petitioner is not the owner of the truck and is ready to fully cooperate with the investigation.

Notice of motion for 11.01.2023.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal bonds and surety to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.

19.12.2022

**(VIKAS BAHL)
JUDGE"**

Learned counsel for the petitioner has submitted that in pursuance of the above-said order, the petitioner has joined the investigation.

Learned State counsel, on instructions from ASI Pritpal Singh, has submitted that the petitioner has joined the investigation and is not required for further investigation.

Keeping in view the abovesaid facts and circumstances more so, the facts which have been noticed in abovesaid order dated 19.12.2022 and also the fact that the petitioner has joined the investigation and is not required for further custodial interrogation, the present petition is allowed and the interim order dated 19.12.2022 is ordered to be made absolute.

However, nothing stated above shall be construed as a final expression of opinion on the merits of the case and the trial would proceed independently of the observations made in the present case which are only for the purpose of adjudicating the present bail application.

January 11, 2023
naresh.k

**(VIKAS BAHL)
JUDGE**

Whether reasoned/speaking?
Whether reportable?

Yes/No
Yes/No