

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

205

CRM-M No.61189 of 2022

Date of Decision : 13.09.2023

Mohd Abrar @ Bablu

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM : HON'BLE MRS. JUSTICE ALKA SARIN

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

Mr. M.S. Tiwana, AAG Punjab.

ALKA SARIN, J. (Oral)

1. The present petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in FIR No.180 dated 08.12.2022 under Sections 307, 354, 341, 323, 506, 148 and 149 of the Indian Penal Code, 1860 registered at Police Station City II, Malerkotla District Malerkotla

2. On 03.01.2023 the following order was passed :

“The instant petition has been filed under Section 438 of the Code of Criminal Procedure, 1973 for grant of anticipatory bail to the petitioner in case bearing FIR No.180 dated 08.12.2022 under Sections 307, 354, 341, 323, 506, 148 and 149 of the IPC registered at Police Station City II, Malerkotla, District Malerkotla (Annexure P-1).

Learned counsel appearing on behalf of the petitioner contends that the name of the petitioner was

disclosed by the main accused Ali in his disclosure statement. He contends that the injury attracting Section 307 of the IPC is not attributed to the petitioner. He further contends that the petitioner does not suffer from any criminal antecedents and is not involved in any other case and that no recovery is to be effected from the petitioner.

Notice of motion.

Mr. Saurav Verma, Addl. A.G. Punjab appears and accepts notice on behalf of respondent-State who prays for some time to complete instructions.

To come up on 23.03.2023, for further consideration.

In the meantime, the petitioner is directed to join investigation as and when so required by the Investigating Agency. In the event of petitioner joining investigation, he shall be admitted to interim bail by the arresting officer/investigating officer on furnishing of bail bonds by him to the satisfaction of the arresting officer/investigating officer. The petitioner shall also abide by the conditions as specified under Section 438 (2) Cr.P.C”

3. Learned counsel for the petitioner states that the petitioner has since joined the investigation and fully cooperated.

4. Learned counsel for the State on instructions from ASI Gulzar Singh has stated that the petitioner has since joined investigation and fully

cooperated and that he is no longer required for further custodial interrogation as of now.

5. In view of the above, the order dated 03.01.2023 is made absolute. The petitioner shall, however, join investigation as and when called. The petitioner shall also abide by all the terms and conditions as specified under Section 438(2) of the Code of Criminal Procedure, 1973.

6. Disposed off accordingly. Pending applications, if any, also stand disposed off.

13.09.2023

jk

(ALKA SARIN)
JUDGE

NOTE: Whether speaking/non-speaking: Speaking
Whether reportable: YES/NO