

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-3083-2024(O&M)
Date of decision: 21.02.2024

Sahil @ Sahil Jaura

...Petitioner

Versus

State of Punjab

...Respondent

CORAM: HON'BLE MR. JUSTICE MAHABIR SINGH SINDHU

Present: Mr. G.S. Bawa, Advocate for the petitioner.
Ms. Manjot Kaur, AAG., Punjab.

MAHABIR SINGH SINDHU, J.

Present petition under Section 438 of the Code of Criminal Procedure has been filed for grant of pre-arrest bail to the petitioner in FIR No. 274, dated 21.12.2023, under Section 379B of Indian Penal Code, 1860 (for short ‘the Act’) (Sections 34, 411 of the Act subsequently added) and Section 25 of Arms Act, 1959, registered at Police Station, Maqboolpura, District Police Commissionerate Amritsar.

(2) FIR was registered on the basis of statement of complainant-Rahul Arora alleging that co-accused-Saleem Singh snatched his mobile and cash worth of Rs. 3530/- at pistol point. During investigation, petitioner was nominated on the basis of disclosure made by co-accused.

(3) This Court on 16.02.2024, granted interim bail to the petitioner and which reads as under:-

“Again there is a request by learned State counsel for compliance of previous order.

Posted for 21.02.2024.

In the meanwhile, petitioner shall join investigation before the Investigating Officer. In the event of his arrest, the Arresting Officer would admit him to interim bail, till the next date of hearing, on furnishing adequate bail and surety bonds to his satisfaction. The petitioner shall also abide by all the conditions as envisaged under Section 438(2) of the Code of Criminal Procedure, 1973.

To be heard along with CRM-M-2520-2024.”

- (4) Learned Counsel for the petitioner submits that in pursuance of the aforesaid order, petitioner has already joined the investigation and his custodial interrogation is not required.
- (5) Learned State Counsel on instructions from SI-Rajesh Kumar acknowledged that in pursuance of aforesaid order, petitioner has joined investigation and as on today, his custodial interrogation is not required.
- (6) In view of above, interim order dated 16.02.2024 is made absolute subject to the conditions as envisaged under Section 438(2) Cr.P.C.
- (7) It is also made clear that petitioner shall fully co-operate with the Investigating Officer as and when called for further investigation.
- (8) The above observations may not be construed as an expression of opinion on merits of the case; rather confined only to decide the present bail matter.
- (9) It is made clear that in case of any recurrence on the part of the petitioner, the State would be at liberty to move an application for recalling of this order.
- (10) Disposed off accordingly.
- (11) Pending application(s), if any, shall also stand disposed off.

21.02.2024
Harish Kumar

(MAHABIR SINGH SINDHU)
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No