

CRM-M-5895-2024
Date of Decision:10.04.2024

PARDEEP SINGH

...Petitioner

Versus

STATE OF PUNJAB

...Respondent

CORAM: HON'BLE MR. JUSTICE HARSH BUNGER

Present:- Mr. Anoop Verma, Advocate for the petitioner.

Ms. Manjor Kaur, AAG, Punjab.

HARSH BUNGER, J.(Oral)

1. Prayer in the present petition has been filed under Section 438 of the Code of Criminal Procedure seeking anticipatory bail in FIR No.617 dated 23.12.2021 registered under Sections 406, 420, 465, 468, 471, 120-B of Indian Penal Code, 1860 at Police Station Zirakpur, District SAS Nagar.
2. On 12.02.2024 the following order was passed by a Co-ordinate Bench of this Court:-
 - “1. Contends, inter alia, that there is no material available on record regarding complicity of the petitioner in the present case; nor any money has been received by him.
 2. Notice of motion.
 3. Mr. Neeraj Madaan, Sr. DAG, accepts notice on behalf of the respondent-State and seeks time to have instructions and/or file written response in the matter
 4. Posted for 10.04.2024.
 5. 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.”
3. Learned counsel for the petitioner submits that pursuant to the aforesaid order, the petitioner has joined the investigation.

4. Learned State counsel has not disputed the aforesaid fact of joining of investigation by the petitioner and submits that his custodial interrogation is not required at this stage.
5. Heard learned counsel for the parties.
6. Since the petitioner has joined the investigation and his custodial interrogation is not required at this stage, the present petition is allowed and the ad-interim order dated 12.02.2024 passed by a Co-ordinate Bench of this Court is made absolute.
7. However, the petitioner shall continue to join the investigation as and when required to do so and abide by all the conditions laid down under Section 438(2) Cr.P.C.
8. It is made clear that if the petitioner fails to comply with any of the bail conditions laid down under Section 438(2) Cr.P.C, the State would be at liberty to move an application for cancellation of this anticipatory bail granted to the petitioner.
9. Nothing expressed here-in-above shall be construed to be an observation on merits of the case and the facts and circumstances recorded above are only for consideration of the prayer for anticipatory bail at this stage.
10. The petition is accordingly disposed of.

April, 10.2024
himanshu

(HARSH BUNGER)
JUDGE

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