

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

208

CRM-M-5038-2024 (O&M)
Date of decision: 21.02.2024

SUKHDEV SINGH

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Tajinder Kataria, Advocate for the petitioner(s).

Mr. Daksh Prem Azad, AAG Punjab.

SANJIV BERRY. J. (Oral)

1. Status report dated 21.02.2024 filed in the form of an affidavit of Deputy Superintendent of Police, (City-I) District SAS Nagar (Mohali), is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.
2. By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
182	04.10.2023	419, 420, 120-B IPC; (417, 465, 468 and 471 IPC added later on)	Mataur, District SAS Nagar, Mohali

3. Learned counsel for the petitioner has submitted that in compliance to the order dated 01.02.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
4. Learned State counsel, on instructions from SI Kulwant Singh has intimated that the petitioner has joined investigation and is no more required for

any custodial investigation in this case nor he is required for further investigation.

5. Heard.

6. During the course of hearing on 01.02.2024, the following order was passed:-

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner is innocent and has been falsely implicated in this case. He contends that even as per the allegations levelled in the FIR, the petitioner had to appear in the ETT Exam and on 04.10.2023, during the course of scrutiny of documents, one Manjit Singh had appeared in place of the petitioner. He further contends that the petitioner has no concern what-so-ever with that Manjit Singh, who had since been granted the concession of bail.

3. Learned counsel for the petitioner further contends that the petitioner is ready to join investigation.

4. Notice of motion.

5. On the asking of the Court, Mr. Sarabjit Singh Cheema, DAG, Punjab, present in Court, accepts notice on behalf of the Staterespondent and, on instructions from ASI Lakhvir Singh, submits that there is no document on record to show that the said Manjit Singh had appeared in the exam, impersonating as the present petitioner. He prays for time to file the status report/reply in the matter.

6. Adjourned to 21.02.2024.

7. Needful be done well before the date fixed with an advance copy to the counsel opposite. 8. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.”

7. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 01.02.2024 passed by this Court, interim bail granted vide order dated 01.02.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with

the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

8. The petition stands allowed.

21.02.2024
S.Sharma(syr)

(SANJIV BERRY)
JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No