

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-7202-2024

Date of Decision:07.05.2024

JATIN

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Mr. Rahul Dev Singh, Advocate
for the petitioner.

Mr. Amandeep Singh, DAG, Punjab
assisted by ASI Balwinder Singh.

DEEPAK GUPTA, J.(ORAL)

On 16.02.2024, following order was passed:

“Memo of appearance on behalf of complainant has been filed.

Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.4 dated 05.01.2024 registered under Sections 307, 324, 148, 149 of the IPC registered at Police Station Station Division No.2, Pathankot.

Learned counsel for the petitioner contends that petitioner is attributed to have inflicted the datar from the reverse side to the injured but in the CCTV footage, petitioner is not shown to be holding any datar. To support his contention, learned counsel for the petitioner has placed on record copy of CCTV footage as Annexure P-2.

On the last date of hearing, while issuing notice of motion, State counsel was directed to arrange a device to operate the CD placed on record. Today on instructions from ASI Narender Singh, learned State counsel conceded the fact that the CCTV footage shows only the two persons assaulting the injured and that petitioner Jatin is not one of them.

Learned State counsel also concedes that the CCTV footage captures the entire incident and that petitioner is not visible therein.

In view of the aforesaid statement, adjourned to 21.03.2024

for filing status report.

In the meantime, in case of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

Today learned State counsel, on instructions from ASI Balwinder Singh submits that weapon has not been recovered from the petitioner, but he has joined the investigation and is not required for custodial interrogation.

Having regard to the aforesaid facts and circumstances, but without commenting anything further on the merits of the case order dated 16.02.2024 is hereby made absolute, whereby petitioner was granted interim anticipatory bail.

However, the petitioner shall continue to join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

Disposed of.

(DEEPAK GUPTA)
JUDGE

07.05.2024

pry

Whether Speaking/reasoned Yes/No
Whether Reportable Yes/No