



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

217

CRM-M-11164-2024

Date of decision: 23.05.2024

Maninder Singh

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Dhiraj Jindal, Advocate
for the petitioner.

Mr. Navdeep Singh, DAG, Punjab.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of anticipatory bail under Section 438 of the Cr.P.C. in case FIR No.107 dated 13.12.2023 under Sections 323, 341, 324, 148, 149 of the IPC (Sections 307, 326, 506, 34 of the IPC added lateron), registered at Police Station Chhajli, District Sangrur.

2. Learned State counsel, on instructions from ASI Sukha Singh, has not disputed that the petitioner in compliance of order dated 04.03.2024, which was passed in the following terms, has joined investigation and cooperated with the investigating agency:-

“It has been contended by learned counsel for the petitioner that the petitioner is a minor and a coordinate Bench of this Court has already referred the matter with respect to the maintainability of a bail petition of a minor under Section 438 Cr.P.C. before a Larger Bench. It has been submitted that the same is pending adjudication for 06.03.2024 i.e. CRM-M-17856-2020 titled as Jatin Versus State of Haryana. It has further been submitted that the petitioner has clean antecedents and it is evidently a case of false implication.”

**CRM-M-11164-2024**

3. It has also not been disputed by the learned State counsel that the petitioner was not named in the FIR in question and he came to be nominated as an accused in the supplementary statement made by the complainant and he was allegedly armed with a stick. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

4. In view of the above, the petition is allowed and interim order dated 04.03.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

23.05.2024**(MANJARI NEHRU KAUL)**

Vinay

JUDGE

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/No