

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

208

CRM-M-13382-2024 (O&M)

Date of Decision:05.04.2024

KULWANT GIR

.....Petitioner

Vs.

STATE OF PUNJAB

.....Respondent

CORAM:- HON'BLE MR. JUSTICE DEEPAK GUPTA

Present:- Ms. Neha Dewan, Advocate
for the petitioner.

Mr. Sahil R. Bakshi, AAG, Punjab
assisted by ASI Daljeet Singh.

DEEPAK GUPTA, J.(ORAL)

On 21.03.2024, following order was passed:

“By way of present petition filed under Section 438 Cr.P.C., petitioner prays for grant of anticipatory bail in a case arising out of FIR No.290 dated 14.12.2021, under Sections 323, 341, 506, 148 and 149 of IPC (Section 379-B IPC added later on), registered at Police Station Sadar, District Patiala.

At the outset, learned counsel for the petitioner submits that similarly placed co-accused, namely, Gurmail Gir has already been granted the benefit of anticipatory bail by this Court vide order dated 15.11.2022 passed in CRM-M46554 of 2022 (O&M), and co-accused Ajaib Gir and Jamna Devi have been granted the benefit of interim anticipatory bail by this Court vide order dated 28.02.2024 passed in CRM-M-10504 of 2024 (O&M) and order dated 05.03.2024 passed in CRM-M-11636 of 2024 (O&M) respectively (Annexure P7(colly)). Learned counsel further submits that role of the petitioner is on better footing, inasmuch as the petitioner is only named in the FIR with no specific role attributed to him.

Notice of motion.

Mr. Sahil R. Bakshi, AAG, Punjab accepts notice on behalf of the respondent-State. A copy of paper book be supplied to him during the course of the day.

Adjourned to 05.04.2024 for filing status report.

To be heard along with CRM-M-10504 of 2024 (O&M) and CRMM-11636 of 2024 (O&M).

In the meantime, petitioner is directed to join investigation and cooperate in the same. He will not leave the country without prior permission of the Court nor shall make any attempt to contact the complainant of the case or any witness associated with the case. In the event of the arrest of the petitioner, he shall 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.”

Today learned State counsel, on instructions submits that petitioner has since 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 21.03.2024 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.

05.04.2024

pry

(DEEPAK GUPTA)
JUDGE

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