

2024:PHHC:059673

**IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH**

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CRM-M-13735-2024
Date of Decision : May 01, 2024

MOHD. AMEEN KHAN ALIAS MEEMPetitioner
VERSUS
STATE OF PUNJABRespondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Imran Farooqi, Advocate
for the petitioner (through Video Conferencing).
Mr. Akshay Kumar, AAG, Punjab.

KULDEEP TIWARI, J. (Oral)

1. On the last date of hearing, i.e. 21.3.2024, the following order was passed:-

“1. Through the instant petition, as instituted under Section 438 of the Cr.P.C., the petitioner seeks the concession of anticipatory bail, in case FIR No.42 dated 26.03.2023, under Sections 323, 341, 427, 506, 379-B, 148, 149 of the IPC, registered at P.S. City-I, Malerkotla, District Malerkotla.

2. What emanates from the record available before this Court, is that, the present FIR was registered on the statement of one Gurbakhsh Singh, on the allegations that, on 25.03.2023, the petitioner along with his co-accused gave him kick blows and also caused injuries to him with brickbats. He further alleged that the petitioner snatched one mobile, make: Redmi Y-2, and, an amount of Rs.17,000/- from his pocket, which were subsequently handed over by him to co-accused Mani.

3. During the course of investigation, co-accused Varjesh and Shanker were arrested on 11.04.2023, whereupon, they confessed their guilt. Based upon disclosure of co-accused (supra), one Gagan was nominated as an accused in the present FIR, who was also arrested on

08.10.2023.

4. *The learned counsel for the petitioner submits that the injury(ies), which has been attributed to the petitioner, is “simple in nature”, and that, the main accused, who were seized of the snatched articles, have already been arrested. He further submits that though the petitioner is a person of clean antecedents, and, nothing is to be recovered from him, yet he is ready to join the investigation, and, to cooperate with the investigating officer.*

5. *Notice of motion for 01.05.2024.*

6. *Mr. Pardeep Bajaj, D.A.G., Punjab, accepts notice on behalf of respondent-State of Punjab.*

7. *In the meantime, the petitioner is directed to join the investigation and to appear before the investigating agency, as and when called upon to do so. In the event of his arrest, he shall be admitted to interim bail on his furnishing bail bonds to the satisfaction of the Arresting/Investigating Officer. The petitioner shall abide by the terms and conditions as envisaged under Section 438(2) Cr.P.C.”*

2. Today, the learned State counsel on instructions imparted to him by SI Ram Kumar, submits that the petitioner has already joined the investigation and he is fully co-operating with the investigation process and he is not required for any further custodial investigation.

3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 21.3.2024 is, hereby, made absolute subject to the condition that the petitioner shall abide by the conditions as envisaged under Section 438(2) Cr.P.C.

(KULDEEP TIWARI)
JUDGE

May 01, 2024
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Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No