



In The High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-14428-2024 (O&M)
Date of Decision:- 05.08.2024

Aman Paswan Petitioner

Versus

State of Punjab and another ... Respondents

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Bharat Puri, Advocate, for the petitioner
(appeared through video conferencing).

Mr. Inderjeet Singh Ladher, DAG, Punjab,
assisted by ASI Jasdeep Singh.

FIR NO.	DATE	POLICE STATION	OFFENCES
0005	12.01.2024	Division No.8, District Police Commissionerate Jalandhar	323, 451, 427, 380, 148 and 149 IPC

GURVINDER SINGH GILL, J. (Oral)

1. The instant petition has been filed on behalf of the petitioner seeking grant of anticipatory bail in respect of aforementioned FIR.
2. At the time of issuance of interim bail the following order was passed on 20.03.2024:

“The petitioner seeks grant of anticipatory bail in respect of a case registered vide FIR No.0005, dated 12.1.2024 at Police Station



Division No.8 at District Police Commissionerate Jalandhar, under Sections 323, 451, 427, 380, 148 and 149 of Indian Penal Code.

Learned counsel for the petitioner submitted that the petitioner is a young boy aged 20 years and is a student and has a clean record and that he has falsely been roped in the present case. It has been submitted that, even if, all the allegations as levelled in the FIR are taken to be correct, at best the allegations would constitute an offence under Section 323 IPC, which is a bailable offence and that the allegations in respect of offence under Section 380 IPC have falsely been levelled so as to ensure that one of the offence is a non-bailable offence.

Notice of motion for 5.8.2024.

At this stage, Mr. Gauravdeep Singh Dhaliwal, DAG, Punjab, upon whom an advance copy of petition had already been served, accepts notice on behalf of the respondent – State.

Meanwhile, in the event of arrest, the petitioner be released on interim bail subject to his furnishing personal bonds and surety bonds to the satisfaction of Arresting/Investigating Officer. However, the petitioner shall join the investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

The State to furnish information on the next date of hearing as regards any CCTV footage collected from the area where the occurrence took place.”

3. Learned State counsel has submitted that the petitioner has joined investigation but has not cooperated as he has not got the recovery effected.
4. This Court has considered the rival submissions.



5. The petitioner admittedly has joined investigation. Non-recovery of the articles cannot be made a ground for declining the petition. The petition, as such, is accepted and the interim directions issued by this Court vide order dated 20.03.2024 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

05.08.2024

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**(GURVINDER SINGH GILL)
JUDGE**

Whether speaking /reasoned

Yes / No

Whether Reportable

Yes / No