

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

212

CRM-M-15291-2024 (O&M)
Date of Decision:- 23.07.2024

HARPREET SINGH
Versus
....Petitioner(s)

STATE OF PUNJAB
...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Aayush Gupta, Advocate for the petitioner.
Mr. Adesh Pal Singh, AAG Punjab.
Mr. S.S. Aviraj, Advocate for
Mr. Vishal Sharma, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
25	07.02.2024	420, 465, 467, 468, 471, 447 and 120-B IPC	Salem Tabri, Ludhiana

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 08.04.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
3. Learned State counsel, on instructions from ASI Hardev Singh,



No.3626/LDH has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

4. Learned counsel for the complainant has opposed the bail petition and intimates that the petitioner is facing another FIR No.99 dated 01.07.2024, P.S. Salem Tabri, as such, he is not entitled to the concession of bail.

5. In response thereto, learned counsel for the petitioner submits that the aforesaid FIR mentioned (*supra*) by learned counsel for the complainant is an offshoot of the present FIR.

6. Heard.

7. During the course of hearing on 08.04.2024, the following order was passed:-

“ 1. Heard.

2. Learned counsel for the petitioner has reiterated the contention as has been recorded in the order of notice of motion dated 22.03.2024.

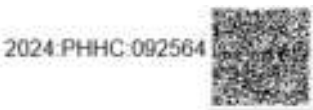
3. Learned State counsel, on the basis of the reply dated 02.04.2024 submitted by Assistant Commissioner of Police, North, Ludhiana, submitted that the role of the petitioner is mentioned in Para No.9 thereof to have prepared the fake document dated 24.06.1987.

4. It is contended by learned counsel for the petitioner that the petitioner was just 7 years old at the relevant time.

5. Although the detailed reply is submitted by the State but strangely the Assistant Commissioner of Police, North, Ludhiana, who happens to be responsible officer, has not cared to consider the facts and circumstances while attributing the role of the petitioner in the instant FIR.

6. List on 07.05.2024.

7. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to 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.
8. The concerned Assistant Commissioner of Police, North, Ludhiana, as well as the Investigating Officer of the case to remain present in Court along with record on the next date of hearing.”

8. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 08.04.2024 passed by this Court, interim bail granted vide order dated 08.04.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. Further the petitioner is directed to join investigation as and when required in future by way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

9. The petition stands allowed.

(SANJIV BERRY)
JUDGE

23.07.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |