



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

210

CRM-M-15609-2024
Date of decision: 22.07.2024

PUNKESH

....Petitioner

V/s

STATE OF PUNJAB

....Respondent

CORAM: HON'BLE MR. JUSTICE MANJARI NEHRU KAUL

Present: Mr.Satnam Singh Thakur, 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.19 dated 01.03.2024 under Sections 457, 380, 34 of the Indian Penal Code, 1860 (Section 411 of IPC added later on), registered at Police Station Model Town, District Ludhiana.

2. On 28.03.2024, while issuing notice of motion, learned counsel for the petitioner had made the following submissions:

“It is submitted that Saif Ansari, Sunny Paswan and Gopal Kumar (juvenile) were named in FIR whereas the present petitioner was not named in the FIR. He has been named by co-accused Sunny Paswan with whom the present petitioner had enmity. He is ready to join the investigation”



3. Thereafter, on 08.04.2024, the petitioner had been granted interim bail and directed to join investigation.

4. Learned counsel for the petitioner submits that in compliance of order dated 08.04.2024, the petitioner has joined investigation and cooperated with the investigating agency.

5. On 08.04.2024, status report has been filed and learned State counsel, on instructions from H.C. Jatinder Kumar, did not dispute the submissions made by the learned counsel for the petitioner that the petitioner had neither been named in the FIR nor any allegations leveled against him; he came to be nominated as an accused on the basis of a disclosure statement allegedly suffered by a co-accused Gopal. Further, learned State counsel, on instructions, does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions, submits that the petitioner is not required for further investigation much less for his custodial interrogation.

6. In view of the above, the petition is allowed and interim order dated 08.04.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

(MANJARI NEHRU KAUL)
JUDGE

July 22, 2024
poonam

Whether speaking/reasoned:	Yes
Whether reportable:	No