

IN THE HIGH COURT OF PUNJAB & HARYANA AT CHANDIGARH

CRM-M-20847-2024

Date of decision : July 10, 2024

Amandeep Singh

....Petitioner

VERSUS

State of Punjab

....Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Beant Singh Seemar, Advocate, for the petitioner
Mr. Pardeep Bajaj, DAG, Punjab

KULDEEP TIWARI, J. (ORAL)

1. Status report dated 3.7.2024, by way of affidavit of Sh. Vijay Kumar, PPS, Assistant Commissioner of Police, North, Amritsar, is filed today in Court by the learned State counsel, and the same is taken on record. Copy thereof, is supplied to the counsel opposite.

2. On 26.4.2024, a Coordinate Bench of this Court had passed the hereinafter extracted order, upon the instant petition:-

“Prayer in this petition is for grant of anticipatory bail under Section 438 Cr.P.C in case FIR No.47 dated 30.03.2024 registered under Sections 454, 381, 511, 120-B of the IPC registered at Police Station Civil Lines, District Amritsar.

Learned counsel for the petitioner contends that FIR was lodged on the complaint of Tilak Raj Gambhir, in whose house attempt was made to commit theft after breaking the almirah. No theft actually took place. Learned counsel further drawn attention towards the

FIR as per which thieves had come in muffled faces, though it is stated in the later part of the FIR by the complainant that he came to know that his housemaid Sharda @ Seema with the help of her brother- petitioner Amandeep Singh had tried to commit theft. Learned counsel further contends that it was clearly mentioned initially that the thieves had come in muffled faces; that petitioner is not involved in any such case; and that FIR has been lodged simply on the basis of suspicion as his sister was a housemaid in the house of the complainant.

Notice of motion.

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

Adjourned to 10.07.2024 for filing status report.

In the meantime, in case of arrest, the petitioner shall be released on interim bail subject to the satisfaction of the Arresting Officer/Investigating Officer. However, it is directed that the petitioner shall join the investigation as and when so required by the Investigating Officer. He shall not contact any person associated with the case to dissuade him from the investigation in any manner whatsoever and nor shall leave the country without prior permission of the Court. He shall further comply with the conditions stipulated in Section 438(2) Cr.P.C.”

2. Today, the learned State counsel on instructions imparted to him by ASI Balbir 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 interrogation.

3. In view of the specific stand taken by the learned State counsel, the present petition is **allowed** and order dated 26.4.2024 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.

July 10, 2024
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(KULDEEP TIWARI)
JUDGE

<i>Whether speaking/reasoned ?</i>	<i>Yes/No</i>
<i>Whether Reportable ?</i>	<i>Yes/No</i>