



IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-20736-2024

Date of decision: 02.08.2024

Ajay Kumar @ Kalu

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present : Mr. Kushagra Mahajan, 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.45 dated 16.03.2024 for the offences under Section 381 of the IPC (Section 411 IPC added later on) registered at Police Station Gate Hakima, District Amritsar.

2. On 26.04.2024, while noticing the following submissions made by the learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation:-

“Learned counsel inter alia contends that the petitioner is a junk dealer and the only allegation levelled against him is of having sold stolen articles which were allegedly recovered from the prime accused. Learned counsel submits that the petitioner was neither named in the FIR in question nor any suspicion raised qua his involvement in the crime in question; he came to be nominated as an accused only in a disclosure statement allegedly suffered by prime accused. It has been asserted



CRM-M-20736-2024

that the evidentiary value of the disclosure statement is of a weak nature.”

3. Learned counsel for the petitioner submits that in compliance of order dated 26.04.2024, the petitioner has joined investigation and cooperated with the investigating agency.

4. 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.

5. In view of the above, the petition is allowed and interim order dated 26.04.2024, is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C.

02.08.2024

Vinay

(MANJARI NEHRU KAUL)
JUDGE

Whether speaking/reasoned	:	Yes/No
Whether reportable	:	Yes/No