



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M-21671-2024

Date of Decision:- 06.11.2024

SARABPREET SINGH

....Petitioner

Vs.

STATE OF PUNJAB

...Respondent

CORAM:- HON'BLE MRS. JUSTICE AMARJOT BHATTI

Present:- Mr. Sukhcharan Singh Gill, Advocate for the petitioner.

Mr. Kewal Singh, Addl. A.G. Punjab.

Ms. Monika Thakur, Advocate for the complainant.
(through V.C.)

AMARJOT BHATTI, J.

1. Petitioner has filed instant petition under Section 438 of Cr.P.C. for grant of anticipatory bail in FIR No.39 dated 05.03.2024 under Sections 323, 341, 506, 295, 427, 34 of IPC (Section 354 IPC and Section 66-E IT Act added later-on) registered at Police Station Division No.6, District Ludhiana.
2. Learned counsel for petitioner argued that he was granted interim bail vide order dated 01.05.2024 which runs as under:-

"The prayer in the petition under Section 438 Cr.PC is for grant of anticipatory bail to the petitioner in case FIR No.39 dated 05.03.2024 under Sections 323, 341, 506, 295, 427, 34 IPC registered at Police Station Division No.6, District Ludhiana.

The Counsel for the petitioner contends that only simple injuries have been attributed to the petitioner and no offence under Section 295 IPC is made out as there was no such intention to insult.

Notice of motion 04.07.2024.

In the meantime, the petitioner is directed to appear before the SHO/Investigating Officer to join investigation and in the event of his arrest, he shall be released on bail on his furnishing bail bonds to the satisfaction of SHO/Investigating Agency subject to the following conditions as envisaged under Section 438(2) Cr.P.C:-

i) that the petitioner shall make himself available for interrogation before the Investigating Officer as and when required;

ii) that the petitioner shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him/her from disclosing such facts to the Court or to any police officer;

iii) that the petitioner shall not leave the country, without prior permission of the Court and shall surrender his passport, if any.

Meanwhile, the State is directed to file to the petition on or before the next date of hearing.”

3. After passing of aforesaid order, this court has extended interim bail to petitioner under Section 354 of IPC as well as under Section 66-E of IT Act vide order dated 22.08.2024, operative part thereof is as under:-

“Keeping in view facts and circumstances of case, interim bail already granted to petitioner vide order dated 01.05.2024 is extended under Section 354 of IPC as well as under Section 66-E of IT Act, on the same terms and conditions as provided under Section 438 (2) Cr.P.C.”

4. He further argued that in compliance to the aforesaid order, he has already joined the investigation and fully cooperated. Therefore, interim bail granted in his favour may be confirmed.

5. Status report is filed in which it is confirmed that petitioner joined investigation on 11.05.2024 but he did not get recovered mobile phone as well as weapon used in the crime. In view of this status report, present petitioner again joined the investigation and today learned State counsel on the instructions of Inspector Rajesh Thakur, Police Station Division No.6, Ludhiana confirmed that petitioner has already joined the investigation and he is not required for any other purpose. Regarding mobile phone, it is clarified that it belonged to the wife of present petitioner.

6. Since petitioner has already joined the investigation, therefore, he is not required for any other purpose. He is still ready to abide by the terms and conditions of bail order, therefore, interim bail granted in favour of the petitioner vide orders dated 01.05.2024 and 22.08.2024 stands confirmed subject to the conditions detailed under Section 438 (2) Cr.P.C.

7. Petition is disposed of accordingly.

(AMARJOT BHATTI)
JUDGE

06.11.2024

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Whether speaking/reasoned: Yes/No.

Whether reportable: Yes/No