



IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CRM-M No.26378 of 2024
Date of decision: 26th September, 2024

Gagandeep Singh @ Gagan

... Petitioner

Versus

State of Punjab

... Respondent

CORAM: HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL

Present: Mr. Rajan S. Dadwal, Advocate for the petitioner.
Mr. Navdeep Singh, Dy. Advocate General, Punjab
for the respondent/State.

MANJARI NEHRU KAUL, J. (ORAL)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.23 dated 26.03.2024 under Sections 457, 380 of the Indian Penal Code, 1860, (Section 411 of the IPC added later on) registered at Police Station Hathur, District Ludhiana Rural.

2. On the last date of hearing, i.e. 04.07.2024, while noticing the following submissions made by learned State counsel, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned State counsel has filed reply by way of affidavit of DSP, Raikot, District Ludhiana (Rural), which is taken on record. Learned State counsel, on instructions from ASI Sulakhan Singh, submits that no doubt, the petitioner was not named in the FIR in question and came to be

nominated in the second disclosure statement suffered by co-accused, however, when the co-accused went inside the premises in question to commit the theft, as per the disclosure statement, he stood guard outside.

On a pointed query put to the learned State counsel as to whether the petitioner is involved in any other criminal case, he, on instructions, has replied in the negative.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 04.07.2024, 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 the circumstances, the petition is allowed and the interim order dated 04.07.2024 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C./Section 482(2) BNSS. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

September 26, 2024
rps

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