



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

CRM-M-28073-2024

Date of decision: 28.08.2024

RAVI MASIH

...PETITIONER

Versus

STATE OF PUNJAB

...RESPONDENT

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present: - Mr. K.S. Dhillon, Advocate for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

SANJIV BERRY, J. (ORAL)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Sections	Police Station
26	09.05.2024	379-B (2), 34 of IPC and Section 411 of IPC added later on.	Nangal Bhoor, Pathankot.

2. Learned counsel for the petitioner submits that in compliance to the order dated 30.05.2024 passed by this Court, the petitioner has already joined the investigation and as such prayed for confirming the interim bail granted vide order dated 30.05.2024.

3. Learned State counsel, on instructions received from ASI Sunil Kumar, intimates the Court that the petitioner has joined investigation and is neither required for further investigation nor for any custodial investigation.



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4. During the course of hearing on 30.05.2024, following order was passed:

“Apprehending his arrest in FIR No.0026 dated 09.05.2024, registered under Sections 379-B (2)/34 IPC (Section 411 IPC added later on) at Police Station Nangal Bhoor, Pathankot petitioner seeks pre-arrest bail.

Learned counsel for the petitioner inter alia submits that the petitioner has been merely nominated on the basis of disclosure made by co-accused and no recovery has been effected from the petitioner.

Notice of motion for 28.08.2024.

On the asking of the Court, Mr. Tarun Aggarwal, Sr. DAG, Punjab appears and accepts notice on behalf of the respondent-State.

In the meantime, in the event of arrest, the petitioner shall be released on interim bail subject to his furnishing personal and surety bonds to the satisfaction of the arresting officer/Investigating Officer. As and when called, the petitioner shall join the investigation. He shall abide by the conditions enumerated under Section 438(2) of the Cr.P.C. ”

5. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner had joined the investigation consequent to the order dated 30.05.2024 passed by this Court, interim bail granted vide order dated 30.05.2024 is hereby confirmed, subject to conditions as envisaged under Section 482 (2) of BNSS, 2023. Further the petitioner is directed to join investigation as and when required in future by



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way of written notice for such purpose to be served by Investigating Officer of this case upon the petitioner; he will not tamper with the evidence nor will influence the witnesses and will not leave the country without prior permission of the Court.

6. The petition stands allowed.
7. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

(SANJIV BERRY)
JUDGE

28.08.2024
kanika

- i)

Whether speaking/reasoned?

Yes/No
- ii)

Whether reportable?

Yes/No