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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-27837-2024 (O&M)
Date of Decision:- 09.09.2024

MANJINDER SINGH ALIAS MONU

Versus

....Petitioner(s)

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Gursewak Singh, Advocate for the petitioner.

Mr. Ankit Grewal, DAG Punjab.

Mr. Saurabh Singla, Advocate for the complainant.

SANJIV BERRY, J. (ORAL)

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

FIR No.	Dated	Sections	Police Station
03	04.01.2024	406 and 120-B IPC; (later on 406 IPC deleted and 407 IPC added)	City Kotkapura, District Faridkot

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 13.08.2024 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
3. Learned State counsel, on telephonic instructions received from



ASI GurmailSingh, has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.

4. Heard.

5. During the course of hearing on 13.08.2024, the following order was passed:-

“ 1.Mr. Gursewak Singh, Advocate has put in appearance on behalf of the petitioner and filed his power of attorney after getting no objection from the previous counsel. Same is taken on record.

2. Learned counsel, inter alia, contends that the petitioner is innocent and has been falsely implicated in the case and even as per the reply submitted by the State, the truck in question belongs to co-accused Joga Singh, who is alleged to have sold the paddy loaded in the truck to one Tarun, who is a commission agent, with whom the petitioner has no concern. He further submits that neither the paddy was ever entrusted to the petitioner nor he has any concern with the alleged transaction. He contends that the petitioner has no criminal antecedents and is ready to join investigation.

3. Per contra, learned State counsel assisted by learned counsel for the complainant submits that the name of the petitioner has surfaced in the disclosure statement of co-accused Joga Singh. They have not disputed the factual matrix that the truck in which the paddy was loaded was recovered from the possession of co-accused Joga Singh, who is stated to have sold the same to the commission agent namely Tarun.

4. Learned State counsel on instructions from ASI Gurmail Singh, Investigating Officer of the case, submits that there is no record of any previous transaction of selling paddy between the petitioner and the said Tarun.

5. In these circumstances, it is deemed appropriate that the petitioner should join the investigation first before deciding the petition on merits. Accordingly, without commenting on the merits of the case, the petitioner is hereby directed to join investigation within seven days from today and co-operate in the same. In the event of the arrest of the petitioner, he shall be released on interim bail on his furnishing personal/surety bonds to the satisfaction of the Arresting Officer/Investigating Officer. He shall also abide by conditions as envisaged under Section 438(2) Cr.P.C.



6. *List on 09.09.2024.*”

6. 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 13.08.2024 passed by this Court, interim bail granted vide order dated 13.08.2024 is hereby confirmed, subject to conditions as envisaged under Section 482(2) BNSS Further the petitioner is directed to join investigation as and when required in future by 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.

7. The petition stands allowed.

(SANJIV BERRY)
JUDGE

09.09.2024
S.Sharma(syr)

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| i) | Whether speaking/reasoned? | Yes/No |
| ii) | Whether reportable? | Yes/No |