

In the High Court for the States of Punjab and Haryana
At Chandigarh

CRM-M-32233-2023 (O&M)
Date of Decision:-18.1.2024

Lakhvir Singh ... Petitioner

Versus

State of Punjab ... Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present:- Mr. Piyush Sharma, Advocate for the petitioner.

Mr. C.L. Pawar, Addl.A.G., Punjab,
assisted by ASI Kewal Singh.

FIR No.	Dated	Police Station	Section/s
136	25.11.2022	Arniwala, District Fazilka	379-B of Indian Penal Code

GURVINDER SINGH GILL, J. (Oral)

- The instant petition has been filed on behalf of the petitioner seeking grant of anticipatory bail in respect of aforementioned FIR.
- At the time of issuance of notice of motion, the following order was passed on 9.8.2023:

“Instant petition has been filed under Section 438, Cr.P.C., for grant of anticipatory bail in:-

FIR No.	Dated	Police Station	Section/s
136	25.11.2022	Arniwala, District Fazilka	379-B of Indian Penal Code

Counsel for the petitioner submits that allegation of snatching has been levelled against three unidentified persons and the petitioner has been arraigned as an accused on the basis of disclosure statement of co-accused, Harjeet Singh @ Jeeta, who has been apprehended. It is his argument that statement of the co-accused recorded in custody is inadmissible in evidence. Still further, counsel submits that the petitioner was named as an accused in two other criminal cases, registered for offences under the Narcotic Drugs and Psychotropic Substances Act, 1985, but he stands acquitted in one of the matters and in the second case, he was fined Rs.2,000/- because he was allegedly found to be in possession of 20 grams smack. He submits that the petitioner is ready to join the investigation and co-operate with the Investigating Agency.

Notice of motion.

On asking of the Court, Mr. Arun Luthra, DAG, Punjab, accepts notice on behalf of the respondent-State.

List on 30.10.2023.

Petitioner is directed to appear before the Investigating Officer on 28.08.2023 at 10.00 A.M. at Police Station Arniwala, District Fazilka, and join the investigation and appear as and when called by the Investigating Officer. In the event of arrest, he shall be admitted to interim bail on furnishing personal and surety bonds to the satisfaction of Arresting/Investigating Officer. He shall also abide by the conditions as specified under Section 438 (2) Cr.P.C.”

3. Learned State counsel, upon instructions from ASI Kewal Singh, has informed that pursuant to interim directions, the petitioner has since joined investigation and he is not required for any custodial interrogation.
4. Having regard to the aforesaid position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the instant petition is accepted and the interim directions issued by this Court

vide order dated 9.8.2023 are hereby made absolute, subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438(2) Cr.P.C.

18.1.2024
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(Gurvinder Singh Gill)
Judge

Whether speaking /reasoned	Yes / No
Whether Reportable	Yes / No