



CRM-M-31960-2024 -1-

IN THE HIGH COURT OF PUNJAB & HARYANA AT
CHANDIGARH

CRM-M-31960-2024
Date of decision: 29.07.2024

BAGICHA SINGHPetitioner

Versus

STATE OF PUNJABRespondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Kamal Jindal, Advocate for the petitioner.

Mr. Japjot Singh, AAG Punjab.

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SANJIV BERRY, J. (ORAL)

Status report dated 28.07.2024 filed in the form of an affidavit of Deputy Superintendent of Police, Sub Division Lambi, District Sri Muktsar Sahib specifically mentions that the petitioner has appeared before the learned Trial Court on 11.07.2024 and deposited the costs in terms of the order dated 08.07.2024. The status report filed by the State is taken on record. Copy thereof has been supplied to learned counsel for the petitioner.

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

FIR No.	Dated	Sections	Police Station
55	11.03.2023	353, 186 and 332 IPC	Lambi, District Sri Muktsar Sahib

3. Learned counsel for the petitioner submits that in compliance to the order dated 08.07.2024, the petitioner has joined the investigation.



4. During the course of hearing on 08.07.2024, following order had been passed: -

“2. Heard.

3. It is, inter alia, contended by learned counsel for the petitioner that the petitioner after having been granted the concession of bail in case FIR (Annexure P-1) had been appearing in the Court, as is evident from the order dated 02.04.2024 passed by learned Sub Divisional Judicial Magistrate, Gidderbaha (Annexure P-3). He contends that on 28.05.2024 when the case was fixed for consideration of charge before the learned Sub Divisional Judicial Magistrate, Gidderbaha, the petitioner could not appear in Court as he had to appear on the same date in another case registered at Malout wherein he appeared, as is evident from the order dated 28.05.2024 passed by learned Judicial Magistrate Ist Class, Malout (Annexure P-5). He contends that the petitioner had not engaged any counsel due to which he could not move any application for examination leading to cancellation of his bail.

4. It is further contended by learned counsel for the petitioner that in case the petitioner is granted concession of bail, the petitioner will regularly appear in the Trial Court on each and every date, without fail, in future.

5. Notice of motion, returnable for 29.07.2024.

6. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, who is present in Court, accepts notice and prays for time to file the status report/reply in the matter.

7. Keeping in view the above facts and circumstances, the petitioner is directed to appear before the learned Trial Court/Duty Magistrate concerned within a period of 07 days from today and in that event, he is ordered to be released on interim bail subject to the petitioner



furnishing requisite bail bonds/surety bonds to the satisfaction of the learned Trial Court, subject, however, to the petitioner depositing the cost of Rs. 10,000/- in the account of District Legal Services Authority, Sri Muktsar Sahib.

8. The petitioner shall also furnish a specific undertaking before the learned Trial Court that, in future, he would be regularly appearing before the concerned Court on each and every date and in case of some exigency, he will seek prior permission of the concerned Court qua his exemption to appear on the date fixed.”

5. Learned State counsel on instructions from A.S.I. Karamjeet Singh informs the Court that the petitioner has appeared before learned Trial Court and is neither required for further investigation nor for any custodial interrogation.

6. Keeping in view the above submissions made by learned State counsel and the fact that the petitioner has appeared before the learned Trial Court consequent to the order dated 08.07.2024 passed by this Court, interim bail granted vide order dated 08.07.2024 is hereby confirmed, subject to conditions as envisaged under Section 438(2) Cr.P.C. 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.



8. It is made clear that anything contained hereinabove shall not be construed to be an expression of opinion on the merits of the case.

29.07.2024
puneet

(SANJIV BERRY)
JUDGE

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