

CRM-M-31708-2024

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IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

CRM-M-31708-2024

Date of decision: 31.07.2024

MANDEEP SINGH ALIAS DEEPU

....Petitioner

Versus

STATE OF PUNJAB

....Respondent

CORAM:- HON'BLE MR. JUSTICE SANJIV BERRY

Present:- Mr. Amaninder Singh Sekhon, Advocate
for the petitioner.

Mr. Adesh Pal Singh, AAG, Punjab.

.....

SANJIV BERRY, J. (ORAL)

Status report dated 30.07.2024 in the form of an affidavit of Deputy Superintendent of Police, Sub Division Faridkot, District Faridkot, has been filed. The same 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
72	03.06.2024	365, 323, 506, 149 IPC	Sadar Faridkot, District Faridkot

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



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

“2. It is, inter alia, contended by learned counsel for the petitioner that the petitioner aged about 18 years having no criminal antecedents and has been falsely implicated as a result of consultations on the part of the complainant as is evident from the fact that despite the alleged occurrence stated to have taken place on 28.05.2024, the complainant got himself admitted in the hospital on 30.05.2024 and despite the Investigating Officer visiting the complainant for getting his statement recorded, he intentionally postponed the same on one pretext or the other and got his statement recorded after 06 days in the presence of his father. He contends that no specific overt act is attributed to the petitioner and even as per the allegations levelled in the FIR (Annexure P-1) that the petitioner is a drug peddler is manifestly wrong and the petitioner is not having any criminal antecedents. He further contends that the petitioner is ready to join investigation.

3. It is further contended by learned counsel for the petitioner that the co-accused of the petitioner, namely Jashandeep Singh, has already been granted concession of bail vide order dated 24.06.2024 passed in CRM-M-30439-2024 (Annexure P-4) and the possible recoveries have already been effected from him.

4. Notice of motion.

5. On the asking of the Court, Mr. Ankit Grewal, DAG, Punjab, present in Court, accepts notice on behalf of the Staterespondent and, on instructions from ASI Chamkaur Singh, P.S. Sadar Faridkot, submits that



the petitioner is not having any other criminal case registered against the petitioner and he prays for time to file the status report/reply in the matter.

6. *Adjourned to 31.07.2024.*

7. *Needful be done well before the date fixed with an advance copy to the counsel opposite. 8. In the meanwhile, the petitioner is hereby directed to join investigation within seven days from today and in the event of his arrest, he is ordered to 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.”*

5. Learned State counsel on instructions from the Investigating Officer of the case informs the Court that the petitioner has joined the investigation 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 had joined the investigation 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.

31.07.2024
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(SANJIV BERRY)
JUDGE

- i)

Whether speaking/reasoned?

Yes/No
- ii)

Whether reportable?

Yes/No