

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

203

CRM-M-42475-2023
Date of decision: 05.02.2024

AMRITPAL SINGH
Versus
....Petitioner

STATE OF PUNJAB
...Respondent

CORAM: HON'BLE MR. JUSTICE KULDEEP TIWARI

Present : Mr. Kamal Gupta, Advocate for the petitioner.

Mr. Digvijay Nagpal, AAG, Punjab.

KULDEEP TIWARI. J.(Oral)

On the last date of hearing i.e on 28.08.2023, the following order was
passed:-

"This is a petition filed under Section 438 Cr.P.C. seeking anticipatory bail in case FIR No.0092 dated 15.04.2023, under Section 379 IPC (Section 411 added later on), registered at Police Station City Tarn Taran, District Tarn Taran.

Learned counsel for the petitioner inter alia submits that the petitioner has been falsely implicated in the above noticed FIR. His name has cropped in this case on the basis of supplementary disclosure statement of co-accused Gurpratap Singh @ Gora while in custody. The petitioner has also been falsely implicated in case FIR No.11 dated 04.02.2023, under Section 379-B IPC, registered at Police Station Sadar Tarn Taran, in which concession of pre-arrest bail has been extended to him by this Court. The petitioner has joined the investigation in the said case and no recovery has been effected from him. It is further submitted that in the aforesaid disclosure statement of co-accused, two other persons were also named, who have been arrested and no recovery has been effected from them as well. Except for the disclosure statement, there is no material connecting the petitioner with the crime and he has been framed as

such. Counsel submits that the petitioner is ready and willing to join investigation and cooperate in the same.

Notice of motion, returnable for 18.10.2023.

Mr. Sanish Girdhar, AAG, Punjab, accepts notice on behalf of respondent-State and waives service. He, on instructions from ASI Sukha Singh, Police Station City Tarn Taran, submits that the petitioner has been nominated in yet another FIR being FIR No.0094 dated 17.04.2023, under Sections 379-B and 34 IPC, registered at Police Station City Tarn Taran. On a query of the Court, learned State counsel has fairly clarified that the petitioner was not named in the said FIR and has been nominated on the basis of disclosure statement in that case. He seeks time to file reply/status report.

In the meanwhile, petitioner shall join the investigation and would associate as and when called. In the event of arrest, the petitioner shall be admitted to interim bail on his furnishing personal bond and surety to the satisfaction of Arresting Officer/Investigating Officer. The petitioner shall abide by the conditions specified in Section 438(2) Cr.P.C."

Learned counsel for the petitioner submits that in pursuance of the order dated 28.08.2023, the petitioner had joined the investigation.

Learned State counsel, on instructions from the official respondent, submits that the petitioner had joined the investigation and he is not required for any further custodial interrogation.

In view of the statement made by learned State counsel, the interim order dated 28.08.2023, is hereby made absolute.

05.02.2024
amandeep

(KULDEEP TIWARI)
JUDGE

Whether speaking/reasoned. : Yes/No
Whether Reportable. : Yes/No