

CRM-M-44611-2023

**IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH**

(213)

CRM-M-44611-2023
Date of Decision:-31.01.2024

Vishal

.....Petitioner

Versus

State of Punjab

.....Respondents

CORAM: HON'BLE MR. JUSTICE ALOK JAIN

Present: Ms. Pratula Sethi, Advocate for the petitioner.

Mr. Siddharth Attri, AAG, Punjab.

ALOK JAIN, J. (Oral)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner in FIR No.29 dated 09.03.2023 under Sections 307, 324, 148, 149 and 506 of the Indian Penal Code, 1860, registered at Police Station Shimlapuri, Ludhiana.

2. Learned counsel for the petitioner submits that the investigating officer is relying upon the alleged recovery of weapon used in the commission of crime. However, the categorical stand of the present petitioner as detailed in the compromise is that he was not present at the site of occurrence, so there is no occasion of any weapon being used or recovery being effected.

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3. Vide order dated 06.09.2023, this Court while granting the concession of interim anticipatory bail directed the petitioner to join investigation.

4. Learned State counsel on instructions submits that the petitioner has joined the investigation and his custodial interrogation is no longer required.

5. In light of the above, the present petition stands allowed and the order dated 06.09.2023 granting interim anticipatory bail to the petitioner, is made absolute with a word of caution that, in case, it is found that any cogent evidence and the averments made in the compromise or in the present petition are false and the petitioner was present on the site of occurrence, the present concession granted shall automatically stand vacated.

6. However, the petitioner shall join the investigation as and when called upon to do so by the Investigating Agency and shall abide by the conditions of Section 438 (2) Cr.P.C.

(ALOK JAIN)
JUDGE

January 31, 2024

Parul

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