

IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH

207

CRM-M-45751-2023 (O&M)
Date of decision: 15.01.2024

TARSEM SINGH SEMA @ JOGRAJ

....Petitioner(s)

Versus

STATE OF PUNJAB

...Respondent(s)

CORAM: HON'BLE MR. JUSTICE SANJIV BERRY

Present : Mr. Imaan Singh Khara, Advocate for the petitioner.

Mr. Sarabjit Singh Cheema, DAG Punjab.

SANJIV BERRY. J. (Oral)

By way of present petition filed under Section 438 of the Code of Criminal Procedure, 1973, petitioner seeks anticipatory bail in case FIR (Annexure P-1) as under:

FIR No.	Dated	Section/s	Police Station
130	19.08.2023	304 IPC	Dayalpura, District Bathinda

2. Learned counsel for the petitioner has submitted that in compliance to the order dated 14.09.2023 passed by this Court, the petitioner has already joined the investigation and as such interim bail granted to the petitioner may be confirmed.
3. Learned State counsel has intimated that the petitioner has joined investigation and is no more required for any custodial investigation in this case nor he is required for further investigation.
4. Heard.
5. During the course of proceedings on 14.09.2023, the following order

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was passed:-

“Learned counsel for the petitioner submitted that it is a case wherethe deceased had died due to overdose of intoxicant substance and the role attributed to the petitioner was that he was acquainted with the deceased person.

Notice of motion.

Mr. Harsimar Singh Sitta, DAG, Punjab, accepts notice on behalf of the respondent-State.

Adjourned to 20.12.2023.

In the meantime, the petitioner is directed to join the investigation and to co-operate fully with the investigation process and on his doing so, the petitioner be released on interim bail, subject to his furnishing personal bonds and surety to the satisfaction of the Arresting/Investigating Officer. However, the petitioner shall continue to join the investigation as and when called upon to do so and shall abide by the conditions as provided under Section 438(2) Cr.P.C.”

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 14.09.2023 passed by this Court, interim bail granted vide order dated 14.09.2023 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.

(SANJIV BERRY)
JUDGE

15.01.2024
S.Sharma(syr)

Whether speaking/reasoned : Yes/No

Whether reportable : Yes/ No