

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRM-M-46974-2023 (O&M)

Date of Decision: 07.03.2024

Aryan @ Aari ...Petitioner

Versus

State of Punjab ...Respondent

CORAM: HON'BLE MR. JUSTICE GURVINDER SINGH GILL

Present: Mr. Arshdeep Singh, Advocate, for the petitioner.

Mr. Gauravdeep Singh Dhaliwal, DAG, Punjab.

FIR No.	Dated	Police Station	Section/s
0236	07.08.2023	Sadar Amritsar, District Police Commissionerate Amritsar	379-B(2), 148, 149 IPC

GURVINDER SINGH GILL, J. (Oral)

1. The petitioner seeks grant of anticipatory bail in respect of aforementioned FIR.
2. At the time of issuance of notice of motion on 04.10.2023, this Court passed the following order:

“Instant petition has been filed under Section 438, Cr.P.C., for grant of anticipatory bail in:-

XX XX XX

Counsel for the petitioner contends that allegation has been leveled that 7 youth, who were travelling on two motor-cycles and a Activa, snatched a motor-cycle and 2 mobile from the complainant. He submits that petitioner has been arraigned as an accused on the basis of disclosure statement of co-accused – Kunal alias Lutas, who has been apprehended, and recovery of a stolen motor-cycle has been effected from him. He submits that another accused, namely, Ujwal Hans, has

also been arrested and one stolen mobile has been recovered from him. Counsel asserts that petitioner is being falsely framed as he was involved in 2 other similar cases, which are registered at the same police station.

Notice of motion.

On asking of the Court, Mr. Arun Luthra, DAG, Punjab, accepts notice on behalf of the respondent-State. Upon instruction from ASI, Devender Singh, he submits that one of the vehicle used in the crime, belongs to the petitioner, which has been recovered.

List on 30.11.2023.

State is directed to file a status report.

In the meanwhile, arrest of the petitioner shall remain stayed till the next date. However, petitioner shall join the investigation on 13.10.2023 and co-operate with the Investigating Agency. This, however, will not confer any right on the petition.”

3. Learned State counsel upon instructions has informed that pursuant to interim directions issued by this Court, the petitioner has since joined investigation and is not required for any custodial interrogation.
4. Having regard to the aforestated position, wherein the petitioner is stated to have joined investigation and is not required for any custodial interrogation, the petition is accepted and the interim directions issued by this Court vide order dated 04.10.2023 are hereby made absolute subject to the condition that the petitioner shall join investigation as and when called upon to do so and cooperate with the Investigating Officer and shall also abide by the conditions as provided under Section 438 (2) Cr.P.C.

07.03.2024

Vimal

(GURVINDER SINGH GILL)
JUDGE

Whether speaking/reasoned: **Yes/No**
Whether reportable: **Yes/No**