

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

(214)

**2024:PHHC: 005554
CRM-M-50263-2023
Date of Decision: 16.01.2024**

Yashdeep Singh

--Petitioner

Versus

State of Punjab

--Respondent

CORAM:- HON'BLE MRS. JUSTICE MANJARI NEHRU KAUL.

Present:- Mr. Shadab Ahmad, Advocate for petitioner.

Mr. Arun Luthra, DAG, Punjab.

MANJARI NEHRU KAUL.J (Oral)

1. The petitioner is seeking the concession of bail under Section 438 Cr.P.C. in case FIR No.77 dated 31.07.2021 under Sections 457/380 IPC registered at Police Station Ghanaur, District Patiala.

2. On the last date of hearing, i.e. 19.10.2023, while noticing the following submissions made by learned counsel for the petitioner, this Court had granted the concession of interim bail to the petitioner and asked him to join investigation.

“Learned counsel for the petitioner inter alia contends that the petitioner was not named in the FIR in question, which was admittedly lodged after an unexplained delay of three days. He submits that it is only after 1½ years of the date of the alleged occurrence, the petitioner came to be nominated as an accused on the basis of a disclosure statement allegedly suffered by co-accused Anmol. Learned counsel further submits that though the petitioner was granted interim bail by the trial Court and was directed to join investigation vide order dated 16.12.2022 by the learned Additional Sessions Judge, Patiala, however, he was unable to join as he was in

judicial custody at that point in time in some other case.”

3. Learned counsel for the petitioner submits that in compliance of the order dated 19.10.2023, the petitioner has joined investigation and cooperated with the investigating agency.

4. Learned State counsel, on instructions from ASI Sharwan Singh does not dispute the factum of the petitioner having joined investigation and cooperated with the investigating agency. He, on further instructions submits that the petitioner is not required for further investigation much less for his custodial interrogation.

5. In the circumstances, the petition is allowed and the interim order dated 19.10.2023 is made absolute subject to the conditions laid down in Section 438(2) Cr.P.C. Needless to say, in case the petitioner misuses the concession of bail granted to him, the State would be at liberty to seek cancellation of the bail granted to him.

(MANJARI NEHRU KAUL)
JUDGE

16.01.2024

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